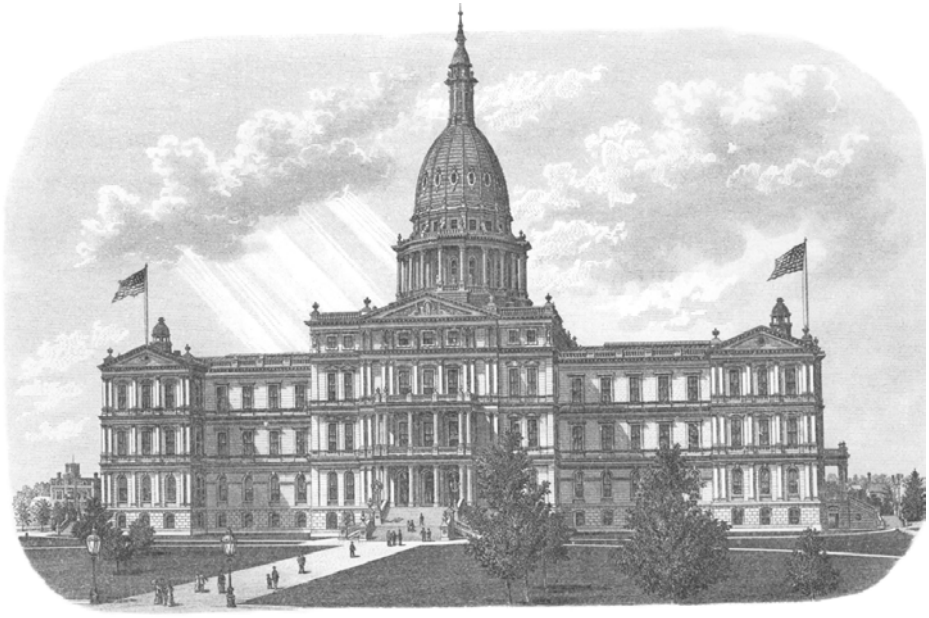
Michigan Register

Issue No. 12– 2003 (Published July 15, 2003)



GRAPHIC IMAGES IN THE

MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws

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(This issue, published July 15, 2003, contains
documents filed from June 15, 2003 to July 1, 2003)

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Jennifer M. Granholm, Governor

John Cherry, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

MCL 24.208 states:

Sec. 8 (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

(a) Executive orders and executive reorganization orders.
(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
(d) Proposed administrative rules.
(e) Notices of public hearings on proposed administrative rules.
(f) Administrative rules filed with the secretary of state.
(g) Emergency rules filed with the secretary of state.
(h) Notice of proposed and adopted agency guidelines.
(i) Other official information considered necessary or appropriate by the office of regulatory reform.
(j) Attorney general opinions.
(k) All of the items listed in section 7(1) after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.22217.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

MCL 4.1203 states:

Sec. 203. (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.

(2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.

(3) The Michigan register fund shall be used to pay the costs preparing, printing, and distributing the Michigan register.

(4) The department of management and budget shall sell copies of Michigan register at a price determined by the office of regulatory reform not to exceed cost of preparation, printing, and distribution.

(5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.

(6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.

(7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).

(8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).

(9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Office of Regulatory Reform for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reform is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reform, Department of Management and Budget, 1st Floor Ottawa Building, 611 West Ottawa, Lansing, MI 48909.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of $110.00 per year. Submit subscription requests to: DMB, Office of Administrative Services, P.O. Box 30026, 320 South Walnut Street, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reform (517) 241-1679.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reform: www.state.mi.us/orr

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reform Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Brian D. Devlin, Director
Office of Regulatory Reform

2003 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2003	February 1, 2003
2	February 1, 2003	February 15, 2003
3	February 15, 2003	March 1, 2003
4	March 1, 2003	March 15, 2003
5	March 15, 2003	April 1, 2003
6	April 1, 2003	April 15, 2003
7	April 15, 2003	May 1, 2003
8	May 1, 2003	May 15, 2003
9	May 15, 2003	June 1, 2003
10	June 1, 2003	June 15, 2003
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20	November 1, 2003	November 15, 2003
21	November 15, 2003	December 1, 2003
22	December 1, 2003	December 15, 2003
23	December 15, 2003	January 1, 2004
24	January 1, 2004	January 15, 2004

CONTENTS

ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE

MCL 24.208 states in part:

"Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state."

ADMINISTRATIVE RULES

ORR # 2002-003

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

Filed with the Secretary of State on June 23, 2003.
These rules take effect 7 days after filing with the Secretary of State (July 1, 2003).

(By authority conferred on the director of the department of environmental quality by sections 5503 and 5512 of 1994 PA 451, MCL 324.5503 and 324.5512, and Executive Reorganization Order No. 1995-18, MCL 324.99903)

R 336.1101, R 336.1103, R 336.1106, R 336.1114, R 336.1116, R 336.1118, and R 336.1119 of the Michigan Administrative Code are amended as follows:

PART 1. GENERAL PROVISIONS

R 336.1101 Definitions; A.
Rule 101. As used in these rules:
(a) "Act" means 1994 PA 451, MCL 324.5503 and 324.5512 et seq.
(b) "Actual emissions" means the average rate, in tons per year, at which the process or process equipment actually emitted the air contaminant during the preceding 2-year period and which was representative of the normal operation of the process or process equipment. A different time period may be used if the time period can be demonstrated to be more representative of normal operation. Actual emissions shall be calculated using the process's or process equipment's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period. The department may presume that the actual emissions for a process or process equipment shall equal the allowable emissions for such process or process equipment if the allowable emissions are identified in the demonstration for an approved state implementation plan. For any process or process equipment that has not begun normal operations, actual emissions shall equal the allowable emissions. The term "actual emissions" is not applicable in parts 6 and 7 of these rules.
(c) "Adhesion prime" means a coating that is applied to a polyolefin part to promote the adhesion of a subsequent coating. An adhesion prime is clearly identified as an adhesion prime or adhesion promoter on its accompanying material safety data sheet.
(d) "Affected states" means all states that are contiguous to the state of Michigan and whose air quality may be affected by a proposed operating permit, operating permit modification, or operating permit renewal or that are within 50 miles of the stationary source for which a permit action is proposed.
(e) "Air-cleaning device" means air pollution control equipment.
(f) "Air contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, or any combination thereof.

(g) "Air-dried coating" means a coating that is dried by the use of air or forced warm air at temperatures up to 90 degrees Celsius (194 degrees Fahrenheit).
(h) "Air pollution" has the same meaning as defined in section 2 of the act.
(i) "Air pollution control equipment" means any method, process, or equipment that removes, reduces, or renders less noxious air contaminants discharged into the atmosphere.
(j) "Air quality standard" means the concentration and duration of an air contaminant specified by the department or by the national ambient air quality standards as contained in the provisions of 40 C.F.R. part 50 (2002), whichever is more restrictive, as the maximum acceptable concentration and duration of that contaminant in the ambient air.
(k) "Allowable emissions" means the emission rate calculated using the maximum rated capacity of the process or process equipment, unless there are legally enforceable limits that restrict the operating rate or the hours of operation, or both, and the most stringent of the following:
(i) Any applicable standards pursuant to the clean air act.
(ii) Any applicable emission limit specified in these rules, including a limit that has a future compliance date.
(iii) Any applicable emission rate specified as a legally enforceable permit condition or voluntary agreement, performance contract, stipulation, or order of the department, including a rate that has a future compliance date.
(l) "Alternate opacity" means that standard for density of emission which is greater than the standard specified in R 336.1301(1) and which is established by the department for a specific process or process equipment in accordance with the provisions of R 336.1301(4).
(m) "Alternative method," with respect to source sampling, means a method or set of procedures for obtaining source samples which is not a reference test method or an equivalent method and which has been demonstrated, to the department's satisfaction, to, in specific cases, produce results adequate for a performance test.
(n) "Ambient air" means that part of the atmosphere outside of buildings to which the general public has access.
(o) "Applicable requirement" means any of the following as they apply to process or process equipment, including requirements that have been approved as administrative rules under the act pursuant to 1969 PA 306, MCL 24.201 et seq. or promulgated by the United States environmental protection agency through final rulemaking at the time of issuance of a permit under the act and which will become effective during the permit term:
(i) A standard or other requirement provided for in the Michigan state implementation plan, as approved or promulgated by the United States environmental protection agency through rulemaking under title I of the clean air act, that implements the relevant requirements of the clean air act, including any revisions to that plan promulgated in 40 C.F.R. part 52.
(ii) A standard or requirement enacted as a part of the act or promulgated in administrative rules pursuant to the act.
(iii) A term or condition of any permit issued pursuant to the act or regulations approved or promulgated through rulemaking under title I, including parts c or d, of the clean air act.
(iv) A term or condition of an order entered pursuant to the act that is necessary to ensure or demonstrate compliance with any other applicable requirement.
(v) A term or condition of a permit issued by the United States environmental protection agency pursuant to title I, subpart c, of the clean air act.
(vi) A term or condition of any permit issued pursuant to the Wayne county air pollution control ordinance, adopted pursuant to the home rule charter for Wayne county, resolution no. 85-305, as amended by resolution no. 89-213.

(vii) A term or condition of an order entered pursuant to the Wayne county air pollution control ordinance, adopted pursuant to the home rule charter for Wayne county, resolution no. 85-305, as amended by resolution no. 89-213, that is necessary to ensure or demonstrate compliance with any other applicable requirement.
(viii) A standard or other requirement under the clean air act, including any of the following:
(A) A standard for the performance of new stationary sources or other requirement under section 111 of the clean air act, including section 111(d).
(B) A standard for hazardous air pollutants or other requirement under section 112 of the clean air act, including any requirement concerning accident prevention under section 112(r)(7) of the clean air act.
(C) A standard or other requirement of the acid rain program under title IV of the clean air act or the regulations promulgated thereunder.
(D) A requirement for enhanced monitoring established pursuant to sections 114(a)(3) or 504(b) of the clean air act.
(E) A standard or other requirement governing solid waste incineration under section 129 of the clean air act.
(F) A standard or other requirement for consumer and commercial products under section 183(e) of the clean air act.
(G) A standard or other requirement for tank vessels under section 183(f) of the clean air act.
(H) A standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the clean air act, unless the administrator of the United States environmental protection agency has determined that the standard or requirement need not be contained in a renewable operating permit required under title V of the clean air act.
(I) A national ambient air quality standard or increment or visibility requirement under part C of title I of the clean air act, but only as it would apply to temporary sources.
Any applicable requirement which results solely from the requirements of the act, the rules promulgated under the act, or the home rule charter for Wayne county, resolution no. 85-305, as amended by resolution no. 89-213, shall not be enforceable under the clean air act.
(p) "Applicant" means a person who owns or operates a stationary source and who files an application for a permit with the department.
(q) "ASTM" means the American society for testing and materials.
(r) "Automobile" means any passenger motor vehicle capable of seating not more than 12 occupants.

R 336.1103 Definitions; C.
Rule 103. As used in these rules:
(a) "Calendar day" means a 24-hour time period which normally is midnight to midnight, but which may, upon written notification to the department, cover a different, consecutive 24-hour time period for a specific process.
(b) "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.
(c) "Carcinogen" means any of the following:
(i) Group A -- Any substance for which there is sufficient evidence from human epidemiological studies to support a causal association between exposure to the agent and cancer.
(ii) Group B -- Any substance for which the weight of evidence of human carcinogenicity based on epidemiological studies is limited evidence or for which the weight of evidence of carcinogenicity based on animal studies is sufficient evidence.
(iii) Group C -- Any substance for which there is limited evidence of carcinogenicity in animals in the absence of human data and which causes a significant increased incidence of benign or malignant tumors in a single, well-conducted animal bioassay.

(d) "Charging period," with respect to coke ovens utilizing larry car charging methodology, means the total time taken between the point at which the coal starts flowing into the oven and the point at which the leveling door and the charging holes are closed with their respective lids after the coal from the larry car hoppers is emptied into the oven being charged through the respective charging holes and the coal has been leveled in the oven. "Charging period," with respect to coke ovens utilizing pipeline charging methodology, means the total time taken from the time at which the coal starts flowing into an oven by opening the preheated coal inlet valve to the time at which the coal flow ends when the inlet valve is closed.
(e) "Class II hardboard paneling finish" means a finish that meets the specifications of voluntary product standard PS-59-73, as approved by the American national standards institute.
(f) "Clean air act" means chapter 360, 69 stat. 322, 42 U.S.C. §§7401 to 7431, 7470 to 7479, 7491 to 7492, 7501 to 7509a, 7511 to 7515, 7521 to 7525, 7541 to 7545, 7547 to 7550, 7552 to 7554, 7571 to 7574, 7581 to 7590, 7601 to 7612, 7614 to 7617, 7619 to 7622, 7624 to 7627, 7641 to 7642, 7651 to 7651o, 7661 to 7661f, and 7671 to 7671q and regulations promulgated under the clean air act.
(g) “Clean charge” means furnace charge materials, including molten metal; t-bar; sow; ingot; billet; pig; alloying elements; uncoated/unpainted thermally dried metal chips; metal scrap dried at 343 degrees Celsius (650 degrees Fahrenheit) or higher; metal scrap delacquered/decoated at 482 degrees Celsius (900 degrees Fahrenheit) or higher; other oil and lubricant-free unpainted/uncoated gates and risers; oil and lubricant-free unpainted/uncoated scrap, shapes, or products (for example, pistons) that have not undergone any process (for example, machining, coating, painting) that would cause contamination of the metal (with oils, lubricants, coatings, or paints) and on-site runaround.
(h) "Clear coating" means a coating which lacks color and opacity or is transparent and which uses the undercoat as a reflectant base or undertone color.
(i) "Clinical testing of pharmaceuticals" means human or animal health studies conducted consistent with applicable government regulations, guidelines, or directions for approval of a pharmaceutical product, such as those monitored by the United States food and drug administration for the purpose of determining any of the following with respect to a drug:
(i) Pharmacological action.
(ii) Preferred route of administration.
(iii) Safe dosage range.
(iv) Optimum dosage schedule.
(v) Safety and effectiveness.
(vi) Product label indications.
(j) "Coating category" means a type of surface coating for which there is a separate emission limit specified in these rules.
(k) "Coating line" means an operation which is a single series in a coating process and which is comprised of 1 or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein 1 or more surface coatings are applied and subsequently dried or cured.
(l) "Coating of automobiles and light-duty trucks" means the application of prime, primer surfacer, topcoat, and final repair to sheet metal and metallic body components during assembly of a vehicle. Examples of these sheet metal and metallic body components include all of the following:
(i) Bodies.
(ii) Fenders.
(iii) Cargo boxes.
(iv) Doors.
(v) Grill openings.
(m) "Coating of cans" means exterior coating and interior spray coating in 2-piece can lines; interior and exterior coating in sheet coating lines for 3-piece cans; side seam spray coating and interior spray

coating in can fabricating lines for 3-piece cans; and sealing compound application and sheet coating in end coating lines.
(n) "Coating of coils" means the coating of any flat metal sheet or strip that comes in rolls or coils.
(o) "Coating of fabric" means the application of any type of coating to flat sheets of a textile substrate, including the application of coatings by saturation or impregnation.
(p) "Coating of flat wood paneling" means the factory-finished coating of flat products which are constructed of wood and which are intended for use as interior paneling. This definition does not apply to the coating of flat wood products intended for use as exterior siding, tileboard, cabinets, or furniture components.
(q) "Coating of large appliances" means the coating of the component metal parts of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other associated products. Examples of these component metal parts include all of the following:
(i) Doors.
(ii) Cases.
(iii) Lids.
(iv) Panels.
(v) Interior support parts.
(r) "Coating of metal furniture" means the coating of any furniture made of metal and includes the coating of any metal part that is or shall be assembled with other metal, wood, fabric, plastic, or glass parts to form a furniture piece.
(s) "Coating of paper" means the application of any decorative, functional, or saturation coating applied across the entire width of any flat sheet or pressure-sensitive tape, regardless of substrate, or applied across a partial width of any flat sheet or pressure-sensitive tape, regardless of substrate, if this partial coverage is not considered to be an operation or series of operations that is included in the definition of graphic arts line in R 336.1107(e). These applications and substrates include paper, fabric, or plastic film; related wet-coating processes on plastic film, including typewriter ribbons, photographic film, and magnetic tape; and decorative coatings on metal foil, including gift wrapping and packaging.
(t) "Coating of plastic parts of automobiles and trucks" means the coating of any plastic part that is or shall be assembled with other parts to form an automobile or truck.
(u) "Coating of plastic parts of business machines" means the coating of any plastic part that is or shall be assembled with other parts to form a business machine.
(v) "Coating of vinyl" means any printing, decorative coating, or protective topcoat applied over vinyl-coated fabric or vinyl rolls or sheets. Coating of vinyl does not include the application or plastisols.
(w) "Coke battery" means a series of coke ovens arranged side by side with an integral heating system.
(x) "Coke oven" means a chamber in which coal is destructively distilled to yield coke.
(y) "Cokeside," with respect to a coke oven, means that side of the coke oven through which coke is discharged.
(z) "Coking cycle" means the time during which coal undergoes destructive distillation in a coke oven. It commences at the end of the charging period and ends at the beginning of the pushing operation, but does not include any decarbonization periods.
(aa) "Cold cleaner" means a tank containing organic solvent at a temperature below its boiling point which is used to spray, brush, flush, or immerse a metallic object for the purpose of cleaning or degreasing.
(bb) "Commence" means that the owner or operator has all necessary pre-construction approvals or permits and has either begun or caused to begin a continuous program of actual on-site construction of a process or process equipment that will be completed within a reasonable time or entered into a binding agreement or obligation, which cannot be canceled or modified without substantial loss to the owner or

operator, to undertake a program of actual construction of the process or process equipment to be completed within a reasonable time. For the purpose of this subrule, “begin actual construction” means initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Examples of these activities include installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. These activities do not include site clearance and other preliminary work not prohibited by the clean air act. With respect to a change in method of operating, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

(cc) "Commercial location" means a publicly or privately owned place where persons are engaged in the exchange or sale of goods or services and multiple housing units designed for 3 or more families, except for elementary and secondary schools and facilities owned and operated by the state government. A separate building or group of buildings used for the exchange or sale of goods or services and having a single owner and manager constitutes a separate commercial location.

(dd) "Completed organic resin" means organic resin solids, solvents, and additives as deliverable for sale or use, including a dry organic resin.

(ee) "Compliance plan" means a description of the compliance status of a source with respect to all applicable requirements for each process or process equipment as follows:

(i) For applicable requirements with which the source is in compliance, a statement that the source will continue to comply with the requirements.

(ii) For applicable requirements that will become effective during the permit term, a statement that the source will meet the requirements on a timely basis.

(iii) For applicable requirements for which the stationary source is not in compliance at the time of permit issuance, a narrative description of how the stationary source will achieve compliance with the requirements.

(ff) "Component" means 1 of the following:

(i) As it pertains to the provisions of R 336.1622, "component" means any piece of equipment that has the potential to leak a volatile organic compound and includes all of the following:

(A) Pump seals.

(B) Compressor seals.

(C) Seal oil degassing vents.

(D) Pipeline valves.

(E) Flanges and other connections.

(F) Pressure-relief devices.

(G) Process drains.

(H) Open ended pipes.

(ii) As it pertains to the provisions of R 336.1628, "component" means all of the following:

(A) Compressor seals.

(B) Process valves in light liquid or gaseous volatile organic compound service.

(C) Pressure-relief valves in gaseous volatile organic compound service.

(D) Seals of pumps in light liquid service.

(iii) As it pertains to the provisions of R 336.1629, "component" means all of the following:

(A) Compressor seals.

(B) Process valves.

(C) Pressure-relief valves.

(D) Pump seals.

This definition does not include a valve that is not externally regulated, that is, a valve which has no external controls and thus does not have the potential to leak a volatile organic compound.

(gg) "Component in field gas service" means a component that processes, transfers, or contains field gas.
(hh) "Component in gaseous volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the gaseous phase under actual conditions.
(ii) "Component in heavy liquid service" means a component that processes, transfers, or contains heavy liquid.
(jj) "Component in light liquid service" means a component that contacts a light liquid containing more than 10% volatile organic compound by weight.
(kk) "Component in liquid volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the liquid phase under actual conditions.
(ll) "Condenser" means a device that effects the removal of an air contaminant from an exhaust stream by a physical change of state from a vapor to a liquid or solid form.
(mm) "Contemporaneous," with respect to a net emissions increase, means an increase or decrease in actual emissions that occurs between the date 5 years before construction on a particular change commences and the date that the increase from a particular change occurs.
(nn) "Control equipment" means air pollution control equipment.
(oo) "Conventional air-atomizing spray equipment" means a device which is designed to atomize and direct fluid material solely through the use of compressed air and which is capable of operating at air pressures of more than 10 pounds per square inch.
(pp) "Conveyorized cold cleaner" means any continuous system that transports metallic objects through a bath containing organic solvent at a temperature below its boiling point for the purpose of cleaning or degreasing.
(qq) "Conveyorized vapor degreaser" means any continuous system that transports metallic objects through or over, or through and over, a bath containing organic solvent that is heated to its boiling point for the purpose of cleaning or degreasing.
(rr) "Creditable," with respect to a net emissions increase, means all of the following:
(i) An increase in actual emission to the extent that the new level of actual emissions exceeds the old level of actual emissions.
(ii) A decrease in actual emission to the extent that this decrease meets all of the following provisions:
(A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions.
(B) The new level of actual emissions is legally enforceable at and after the time that construction of the particular change commences.
(C) The decrease in emissions has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.
(D) The decrease in emissions has not been relied upon for the issuance of any permit subject to the provisions of R 336.1201, R 336.1220, 40 C.F.R. part 71, or 40 C.F.R. part 70, or the decrease has not been used in demonstrating attainment or reasonable further progress towards attainment of the standards.
(E) The process or process equipment actually operated and emitted an air contaminant.
(iii) An increase or decrease that was not a part of a permit to install issued pursuant to any applicable federal or state offset rule, which permit is in effect when the increase in actual emissions from the particular change occurs.
(ss) "Cutback paving asphalt" means asphalt cement which has been liquefied by blending with a volatile organic compound and which is used for the purpose of paving or repairing, or paving and repairing, a road surface.
(tt) "Cycle of operation," with respect to continuous emission monitoring systems, means the total time a monitoring system requires to sample, analyze, and record an emission measurement.

R 336.1106 Definitions; F.
Rule 106. As used in these rules:
(a) “Federally enforceable” means that a limitation or condition is enforceable by the United States environmental protection agency. Limitations and conditions which are enforceable by the United States environmental protection agency include requirements developed pursuant to 40 C.F.R. parts 60, 61, and 63; requirements within the state implementation plan; any renewable operating permit requirement designated as federally enforceable pursuant to R 336.1213(1)(a); and any permit requirement established pursuant to 40 C.F.R. §52.21, R 336.1220, R 336.1208, or R 336.1201(1)(a).
(b) "Field gas" means a feedstock gas entering a natural gas processing plant.
(c) "Field testing" means the limited use or distribution of a product to determine the quality of the product, including its suitability for its intended end use.
(d) "Fixed roof stationary vessel" means a stationary vessel with a roof connected in a rigid fashion to the side walls of the vessel, a spherically-shaped vessel, or a pressure vessel designed to maintain a specific working pressure.
(e) "Flexible coating" means any coating that is required to comply with engineering specifications for impact resistance, mandrel bend, or elongation as defined by the original equipment manufacturer.
(f) "Flexographic printing" means the application of words, designs, or pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.
(g) "Fog coat" means a coating that is applied to a plastic part for the purpose of color matching without masking a molded-in texture. A fog coat shall not be applied at a thickness of more than 0.5 mils of coating solids.
(h) "Fossil fuel-fired steam generator" means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.
(i) "Fuel-burning equipment" means a device, contrivance, or equipment used principally, but not exclusively, for the burning of fuel, and all appurtenances thereto, including ducts, breechings, control equipment, fuel-feeding equipment, ash removal equipment, combustion controls, and stacks and chimneys, which equipment is used for indirect heating in which the material being heated is not contacted by, and does not add substance to, the products of combustion. This equipment typically includes that used for all of the following:
(i) Heating water to boiling.
(ii) Raising steam or superheating steam.
(iii) Heating air as in a warm-air furnace.
(iv) Furnishing process heat that is conducted through vessel walls.
(v) Furnishing process heat indirectly through its transfer by fluids.
(j) "Fuel gas system" means any system in which gas generated by a petroleum refinery process unit is combusted, including any gaseous mixture of natural gas with such gas, and is not commercially sold.
(k) "Fugitive dust" means particulate matter which is generated from indoor processes, activities, or operations and which is emitted into the outer air through building openings and general exhaust ventilation, except stacks. The term also means particulate matter which is emitted into the outer air from outdoor processes, activities, or operations due to the forces of the wind or human activity.
(l) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

R 336.1114 Definitions; N.
Rule 114. As used in these rules:

(a) "Natural finish hardwood plywood panel" means a panel that has its original grain pattern enhanced by essentially transparent finishes frequently supplemented by fillers and toners.
(b) "Natural gas processing plant" means a stationary source where the extraction of natural gas liquids from field gas or the fractionation of the liquids into natural gas products, such as ethane, propane, butane, and natural gasoline, takes place.
(c) "Natural gas process unit" means process equipment assembled for the extraction of natural gas liquids from field gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A natural gas process unit may operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products.
(d) "Nearby" means, with respect to good engineering practice design stack heights, a distance of up to 5 times the lesser of the height or the width dimension of a structure, but not more than 0.8 kilometers (0.5 miles). The height of the structure is measured from the ground level elevation at the base of the stack.
(e) "Net emissions increase" means, to the extent that a particular change results in an increase in actual emissions from the process or process equipment, the amount by which the sum of both of the following exceeds zero:
(i) The increase in actual emissions from a particular change.
(ii) Any decreases and any other increases in actual emissions from other processes or process equipment at the stationary source which are contemporaneous with the particular change and are creditable.
(f) "Nonattainment air contaminant" means an air contaminant which may be emitted from a process or process equipment which is located in a designated nonattainment area for such air contaminant. Volatile organic compounds which may be emitted from a process or process equipment which is located in a designated ozone nonattainment area shall be considered a "nonattainment air contaminant." Nitrogen oxides that may be emitted from a process or process equipment which is located in a moderate ozone nonattainment area shall be considered a "nonattainment air contaminant."
(g) "Nonattainment area" means an area designated as not having attained full compliance with any national ambient air quality standard pursuant to section 107(D) of the clean air act. Such designation shall be air contaminant specific and shall not mean that an area is a nonattainment area for any other air contaminant unless so specified. The department shall maintain a list of designated nonattainment areas and shall update the list when air quality monitoring or modeling data warrant. For certain air contaminants, nonattainment areas are classified for the purposes of applying an attainment date, or for other purposes, in accordance with procedures established pursuant to the clean air act, as amended, 42 U.S.C. §7401 et seq. For ozone nonattainment areas, classifications have been established as follows:
(i) Nonclassifiable.
(ii) Marginal.
(iii) Moderate.
(iv) Serious.
(v) Severe.
(vi) Extreme.

R 336.1116 Definitions; P.
Rule 116. As used in these rules:
(a) "Packaging rotogravure printing" means rotogravure printing upon a substrate that, in subsequent operations, is formed into a packaging product or label, or both.
(b) "Paint manufacturing" means the grinding or mixing of a combination of pigments, resins, and liquids to produce a surface coating as listed in standard industrial classification code 2851.

(c) "Particulate matter" means any air contaminant existing as a finely divided liquid or solid, other than uncombined water, as measured by a reference test specified in R 336.2004(5) or by an equivalent or alternative method.
(d) "Perchloroethylene dry cleaning equipment" means equipment utilized in the cleaning of fabrics for which perchloroethylene (tetrachloroethylene) is the predominant cleaning medium.
(e) "Performance test" means the taking of a source sample at a stationary source, employing department-approved methods, to determine either of the following:
(i) Compliance with the department's rules, orders, or emission limitations.
(ii) Compliance with the conditions of a permit to install or permit to operate.
(f) "Permit to install" means a permit issued by the department authorizing the construction, installation, relocation, or alteration of any process, fuel-burning, refuse-burning, or control equipment in accordance with approved plans and specifications.
(g) "Permit to operate" means a permit issued by the department authorizing the use of any process, fuel-burning, refuse-burning, or control equipment for the period indicated after it has been demonstrated that it can be operated in compliance with these rules. The requirement to obtain a permit to operate was removed from these rules effective July 26, 1995. Permits to operate issued before that date remain in effect and legally enforceable unless they are voided pursuant to R 336.1201(6).
(h) "Person" means any of the following:
(i) An individual person.
(ii) Trustee.
(iii) Court-appointed representative.
(iv) Syndicate.
(v) Association.
(vi) Partnership.
(vii) Firm.
(viii) Club.
(ix) Company.
(x) Corporation.
(xi) Business trust.
(xii) Institution.
(xiii) Agency.
(xiv) Government corporation.
(xv) Municipal corporation.
(xvi) City.
(xvii) County.
(xviii) Municipality.
(xix) District.
(xx) Other political subdivision, department, bureau, agency, or instrumentality of federal, state, or local government.
(xxi) Other entity recognized by law as the subject of rights and duties.
(i) "Petroleum" means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal gasification or liquefaction.
(j) "Petroleum refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum or through redistillation, cracking, or the reforming of unfinished petroleum derivatives.
(k) "PM-10" means particulate matter that has an aerodynamic diameter less than or equal to a nominal 10 micrometers, as measured by a reference test specified in 40 C.F.R. part 51, appendix m.

(l) "Potential emissions" means those emissions expected to occur without control equipment, unless this control equipment is, aside from air pollution control requirements, vital to production of the normal product of the source or to its normal operation. Annual potential emissions shall be based on the maximum annual-rated capacity of the source, unless the source is subject to enforceable permit conditions or enforceable orders that limit the operating rate or the hours of operation, or both. Enforceable agreements or permit conditions on the type or amount of materials combusted or processed shall be used in determining the potential emission rate of a source.
(m) "Potential to emit" means the maximum capacity of a stationary source to emit an air contaminant under its physical and operational design. Any physical or operational limit on the capacity of the stationary source to emit an air contaminant, including air pollution control equipment and restrictions on the hours of operation or the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limit, or the effect it would have on emissions, is legally enforceable. Secondary emissions shall not count in determining the "potential to emit" of a stationary source. For hazardous air pollutants that have been listed pursuant to section 112(b) of the clean air act, quantifiable fugitive emissions shall be included in determining the potential to emit of any stationary source. For all other air contaminants, quantifiable fugitive emissions shall be included in determining the "potential to emit" of a stationary source only if the stationary source belongs to 1 of the following categories:
(i) Coal cleaning plants that have thermal dryers.
(ii) Kraft pulp mills.
(iii) Portland cement plants.
(iv) Primary zinc smelters.
(v) Iron and steel mills.
(vi) Primary aluminum ore reduction plants.
(vii) Primary copper smelters.
(viii) Municipal incinerators capable of charging more than 50 tons of refuse per day.
(ix) Hydrofluoric, sulfuric, or nitric acid plants.
(x) Petroleum refineries.
(xi) Lime plants.
(xii) Phosphate rock processing plants.
(xiii) Coke oven batteries.
(xiv) Sulfur recovery plants.
(xv) Carbon black plants that have a furnace process.
(xvi) Primary lead smelters.
(xvii) Fuel conversion plants.
(xviii) Sintering plants.
(xix) Secondary metal production plants.
(xx) Chemical process plants.
(xxi) Fossil fuel boilers (or combination thereof) totaling more than 250,000,000 Btu per hour heat input.
(xxii) Petroleum storage and transfer units that have a total storage capacity of more than 300,000 barrels or petroleum storage vessels that have a capacity of more than 40,000 gallons.
(xxiii) Taconite ore processing plants.
(xxiv) Glass-fiber processing plants.
(xxv) Charcoal production plants.
(xxvi) Fossil fuel-fired steam electric plants of more than 250,000,000 Btu per hour heat input.
(xxvii) Asphalt concrete plants.
(xxviii) Secondary lead smelters and refineries.

(xxix) Sewage treatment plants.
(xxx) Phosphate fertilizer plants.
(xxxi) Ferroalloy production plants.
(xxxii) Grain elevators.
(xxxiii) Stationary gas turbines.
(xxxiv) Stationary sources that are subject to the federal national emission standards for hazardous air pollutants for the following materials:
(A) Asbestos.
(B) Beryllium.
(C) Mercury.
(D) Vinyl chloride.
(n) "PPM" means parts per million, by volume.
(o) "Printed interior panel" means a panel which has its grain or natural surface obscured by fillers and basecoats and upon which a simulated grain or decorative pattern is printed.
(p) "Process" means an action, operation, or a series of actions or operations at a source that emits or has the potential to emit an air contaminant. Examples of a "process" include any of the following:
(i) A physical change of a material.
(ii) A chemical change of a material.
(iii) The combustion of fuel, refuse, or waste material.
(iv) The storage of a material.
(v) The handling of a material.
(q) "Process equipment" means all equipment, devices, and auxiliary components, including air pollution control equipment, stacks, and other emission points, used in a process.
(r) "Process unit turnaround" means the scheduled shutdown of a refinery process unit for the purpose of inspection or maintenance of the unit.
(s) "Production equipment exhaust system" means a device for collecting and removing, from the immediate area, fugitive air contaminants from any process equipment.
(t) "Psia" means pounds per square inch absolute.
(u) "Publication rotogravure printing" means rotogravure printing upon a substrate that is subsequently formed into any of the following:
(i) Book.
(ii) Magazine.
(iii) Catalogue.
(iv) Brochure.
(v) Directory.
(vi) Newspaper.
(vii) Supplement.
(viii) Other type of printed material.
(v) "Pushing operation," with respect to coke ovens, means the movement of the coke from a coke oven into the coke-receiving car.
(w) "Pushside," with respect to a coke oven, means that side of the coke oven that is adjacent to the pushing machine.

R 336.1118 Definitions; R.
Rule 118. As used in these rules:
(a) "Reactor" means a vessel which may be jacketed to permit temperature control and which is designed to contain materials during chemical reaction.

(b) “Reconstruction” means the replacement of components of an existing facility so that the fixed capital cost of the new components is more than 50% of the fixed capital cost that would be required to construct a comparable entirely new emission unit and so that it is technologically and economically feasible to meet the applicable requirement.
“Fixed capital cost,” as used in this subdivision, means the capital needed to provide all of the depreciable components.
(c) "Red coating" means a coating which meets all of the following criteria:
(i) Yellow limit: the hue of hostaperm scarlet.
(ii) Blue limit: the hue of monastral red-violet.
(iii) Lightness limit for metallics: 35% aluminum flake.
(iv) Lightness limit for solids: 50% titanium dioxide white.
(v) Solid reds: hue angle of -11 to 38 degrees and maximum lightness of 23 to 45 units.
(vi) Metallic reds: hue angle of -16 to 35 degrees and maximum lightness of 28 to 45 units.
These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, the upper limit is 49 units. The maximum lightness varies as the hue moves from violet to orange. This is a natural consequence of the strength of the colorants, and real colors show this effect.
(d) "Reference test method," with respect to source sampling, means a method or set of procedures, as described in appendix A to these rules, for obtaining source samples.
(e) "Refinery unit" means a set of components and other equipment which are a part of a basic process operation, such as distillation, hydrotreating, cracking, or reforming of hydrocarbons.
(f) "Reid vapor pressure" means the absolute vapor pressure of an organic compound at 100 degrees Fahrenheit as measured by the standard test method set forth in ASTM D-323 or approved equivalent. ASTM D-323 is adopted by reference in these rules. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, P.0. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $30.00. A copy may also be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959, at a cost as of the time of adoption of these rules of $30.00.
(g) "Repetitive production of a product" means production, for purposes other than clinical testing of pharmaceuticals, which meets the following criteria:
(i) Batch processes or process equipment producing 10 or more batches of product.
(ii) Continuous processes or process equipment running for a period of more than 10 times the length of time for the raw materials to become finished product or 24 hours, whichever is longer.
(h) “Research and development activities” means activities conducted for the primary purpose of developing new production processes and products, testing more efficient production processes, or testing methods for preventing or reducing adverse environmental impacts, if the activities are in compliance with both of the following provisions:
(i) The activities do not include the production of an intermediate or final product for sale or exchange for commercial profit, except in a de minimis manner.
(ii) The activities are conducted at a research or laboratory facility that is operated under the close supervision of technically trained personnel.
(i) "Resist coat" means a coating that is applied to a plastic part before metallic plating to prevent deposits of metal on portions of the plastic part.
(j) "Responsible official" means, for the purposes of signing and certifying the truth, accuracy, and completeness of permit applications, monitoring and other reports, and compliance certifications, any of the following:
(i) For a corporation, a president, secretary, treasurer, or vice-president of the corporation who is in charge of a principal business function or any other person who performs similar policy or decision-

making functions for the corporation. The person identified in the preceding sentence may appoint another person as his or her authorized representative under either of the following circumstances:
(A) The representative is responsible for the overall operation of 1 or more manufacturing, production, or operating facilities applying for or subject to a permit and either the facilities employ more than 250 persons or have gross annual sales or expenditures of more than $25,000,000.00.
(B) The representative has responsibilities for the overall operation of a source and is approved in advance by the department. A responsible official shall submit a written request for approval from the department to designate an authorized representative pursuant to this paragraph. The department shall respond, in writing, within 30 days of receipt of the request.
(ii) For a partnership or sole proprietorship, a general partner or the proprietor.
(iii) For a county, city, village, township, state, federal, or other public agency, either a principal executive officer or ranking elected official. For this purpose, a principal executive officer includes the chief executive officer who has responsibility for the overall operations of a principal geographic unit of the agency.
(iv) For affected sources under title IV of the clean air act, the designated representative as defined in title IV of the clean air act.
(k) "Rotogravure printing" means the application of words, designs, pictures, or surface coating to a substrate by means of a roll printing technique that involves intaglio or recessed image areas in the form of cells.

R 336.1119 Definitions; S.
Rule 119. As used in these rules:
(a) "Schedule of compliance" means, for purposes of R 336.1201 to R 336.1218, all of the following:
(i) For a source not in compliance with all applicable requirements at the time of issuance of a renewable operating permit, a schedule of remedial measures, including an enforceable sequence of actions or operations that specifies milestones, leading to compliance with an applicable requirement, and a schedule for submission of certified progress reports, at least every 6 months. The schedule shall resemble, and be at least as stringent as, a schedule contained in a judicial consent decree or administrative order to which the source is subject. A schedule shall be supplemental to, and shall not sanction noncompliance with, the applicable requirement on which it is based.
(ii) For a source in compliance with all applicable requirements at the time of issuance of a renewable operating permit, a statement that the source will continue to comply with the requirements.
(iii) With respect to any applicable requirement that has a future effective compliance date that is after the date of issuance and before the date of expiration of the renewable operating permit, the schedule of compliance shall contain a statement that the source will meet the requirement on a timely basis, unless the underlying applicable requirement requires a more detailed schedule.
(b) "Secondary emissions" means emissions which occur as a result of the construction or operation of a stationary source, but which do not come from the stationary source itself. Secondary emissions include only emissions that are specific, well-defined, quantifiable, and impact the same general area as the stationary source which causes the secondary emissions. Secondary emissions also include emissions from any off-site support facility which would not otherwise be constructed or increase its emissions except as a result of the construction or operation of the stationary source. Examples of secondary emissions include the following:
(i) Emissions from ships or trains coming to or going from a stationary source.
(ii) Emissions from any off-site support facility that would not otherwise be constructed or increase its emissions except as a result of the construction or operation of the stationary source.
(c) "Secondary risk screening level" means the concentration of a possible, probable, or known human carcinogen in ambient air which has been calculated, for regulatory purposes, according to the risk

assessment procedures in R 336.1229(1), to produce an estimated upper-bound lifetime cancer risk of 1 in 100,000.
(d) "Shutdown" means the cessation of operation of a source for any purpose.
(e) "Significant" means a rate of emissions for the following air contaminants which would equal or exceed any of the following:
(i) Carbon monoxide - 100 tons per year.
(ii) Nitrogen oxides - 40 tons per year.
(iii) Sulfur dioxide - 40 tons per year.
(iv) Particulate matter - 25 tons per year.
(v) PM-10 - 15 tons per year.
(vi) Volatile organic compounds - 40 tons per year.
(vii) Lead - 0.6 tons per year.
(f) "Smoke" means small gas and airborne particles consisting essentially of carbonaceous material in sufficient numbers to be observable.
(g) "Sour condensate" means a condensate that emits sour gas at atmospheric pressure.
(h) "Sour crude" means a crude oil that emits sour gas at atmospheric pressure.
(i) "Sour gas" means any gas containing more than 1 grain of hydrogen sulfide or more than 10 grains of total sulfur per 100 standard cubic feet.
(j) "Source sample" means any raw material, fuel, product, by-product, waste material, exhaust gas, air contaminant, flora, soil, or other such material existing as a gas, liquid, or solid, which is captured, retained, or collected from a stationary source.
(k) "Specific plate collection area" means the ratio of the total collection area to the total gas volume flow rate in square feet per 1,000 actual cubic feet per minute.
(l) "Stack" or "chimney" means a flue, conduit, or duct arranged to conduct a gas stream to the outer air.
(m) "Standard conditions" means a gas temperature of 70 degrees Fahrenheit and a gas pressure of 29.92 inches of mercury absolute.
(n) "Standpipe assembly," with respect to coke ovens, means the riser, standpipe lid, and the gooseneck.
(o) "Standpipe assembly emission point," with respect to a coke oven battery equipped with a single collector main or a double collector main, means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, and the second flexible connection wherever located, or another agreed upon connection that is located between the collector main and the gooseneck. With respect to a battery equipped with a charging main and a gas-offtake main in tandem, "standpipe assembly emission point" means the upper flange, the lower flange, the top lid, the bottom lid, the upper sand seal, the middle sand seal, and the lower base sand seal. With respect to a battery equipped with a jumper pipe ministandpipe, "standpipe assembly emission point" means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, the flexible connection between the collector main and the gooseneck, the ministandpipe lid, and the flexible connection between the battery top and the jumper pipe ministandpipe.
(p) "Start-up" means the setting in operation of a process or process equipment for any purpose.
(q) “State-only enforceable” means that the limitation or condition is derived solely from the act and the air pollution control rules and is not federally enforceable. State-only enforceable requirements include R 336.1224, R 336.1225, R 336.1901, any permit requirement established solely pursuant to R 366.1201(1)(b), or any other regulation that is enforceable solely under the act and is not federally enforceable.
(r) "Stationary source" means all buildings, structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have the same 2-digit major group code associated with their primary activity. In addition, a stationary source includes any other buildings,

structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have a different 2-digit major group code, but which support the primary activity. Buildings, structures, facilities, or installations, are considered to support the primary activity if 50% or more of their output is dedicated to the primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. Notwithstanding the provisions of this subdivision, research and development activities, as described in R 336.1118, may be treated as a separate stationary source, unless the research and development activities support the primary activity of the stationary source.

(s) "Stationary vessel" means any tank, reservoir, or container used for the storage of any volatile organic compound which is not used to transport such volatile organic compound and in which no manufacturing process or part thereof takes place.

(t) "Stencil coat" means a coating that is applied over a stencil to a plastic part at a thickness of 1 mil or less of coating solids. Stencil coats are most frequently letters, numbers, or decorative designs.

(u) "Styrene devolatilizer unit" means equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.

(v) "Styrene recovery unit" means equipment performing the function of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as raw material in the manufacturing of polystyrene resin.

(w) "Submerged fill pipe" means any fill pipe that has its discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the vessel or, when applied to a vessel that is loaded from the side, means either of the following:

(i) Any fill pipe that has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the vessel.

(ii) Any fill pipe that has its discharge opening entirely submerged when the liquid level is twice the diameter of the fill pipe above the bottom of the vessel, but in no case shall the top of such submerged fill pipe be more than 36 inches above the bottom of the vessel.

(x) "Sufficient evidence," a term of art, means either of the following:

(i) In human epidemiological studies, that the data indicate that there is a causal relationship between the agent and human cancer.

(ii) In animal studies, the data suggest that there is an increased incidence of malignant tumors or combined malignant and benign tumors in any of the following:

(A) Multiple species or strains.

(B) Multiple experiments.

(C) To an unusual degree in a single experiment with regard to high incidence, unusual site or type of tumor, or early age at onset.

(y) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge, but does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(z) "Surface coating" means any paint, lacquer, varnish, ink, adhesive, or other coating material applied on a surface.

(aa) "Sweet condensate" means any condensate that is not a sour condensate.

(bb) "Sweet crude" means any crude oil that is not a sour crude.

(cc) "Sweetening facility" means a facility or process that removes hydrogen sulfide or sulfur-containing compounds, or both, from a sour gas, sour crude oil, or sour condensate stream and converts it to sweet gas, sweet crude, or sweet condensate. The term "sweetening facility" does not include a facility or process that operates in an enclosed system and does not emit hydrogen sulfide to the outer air.

(dd) "Sweet gas" means any gas that is not a sour gas.
(ee) "Synthetic organic chemical and polymer manufacturing plant" means a stationary source where the production, as intermediates or final products, of 1 or more of the following chemicals takes place:
(i) Methyl tert-butyl ether.
(ii) Polyethylene.
(iii) Polypropylene.
(iv) Polystyrene.
(v) Synthetic organic chemicals listed in section 489 of 40 C.F.R. part 60, subpart VV, entitled "Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry," which is adopted by reference in R 336.1628(1).
(ff) "Synthetic organic chemical and polymer manufacturing process unit" means all process equipment assembled to manufacture, as intermediates or final products, 1 or more of the chemicals listed in the definition of synthetic organic chemical and polymer manufacturing plant. A synthetic organic chemical and polymer manufacturing process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

ADMINISTRATIVE RULES

ORR # 2002-004

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

Filed with the Secretary of State on June 23, 2003.
These rules take effect 7 days after filing with the Secretary of State (July 1, 2003).

(By authority conferred on the director of the department of environmental quality by sections 5503 and 5512 of 1994 PA 451, MCL 324.5503 and 324.5512, and Executive Reorganization Order No. 1995-18, MCL 324.99903)

R 336.1201, R 336.1201a, R 336.1202, R 336.1203, R 336.1204, R 336.1205, R 336.1206, R 336.1207, R 336.1212, R 336.1216, R 336.1219, R 336.1220, R 336.1240, R 336.1241, R 336.1278, R 336.1281, R 336.1282, R 336.1284, R 336.1285, R 336.1287, R 336.1289, and R 336.1299 of the Michigan Administrative Code are amended; R 336.1214a and R 336.1278a are added to the Code; and R 336.1279 of the Code is rescinded as follows:

PART 2. AIR USE APPROVAL

R 336.1201 Permits to install.
Rule 201. (1) Except as allowed in R 336.1202 or R 336.1278 to R 336.1290, a person shall not install, construct, reconstruct, relocate, or modify any process or process equipment, including control equipment pertaining thereto, which may emit any of the following, unless a permit to install which authorizes such action is issued by the department:
(a) Any air pollutant regulated by title I of the clean air act and its associated rules, including 40 C.F.R. §§51.165 and 52.21.
(b) Any air contaminant.
A person who plans to install, construct, reconstruct, relocate, or modify any such process or process equipment shall apply to the department for a permit to install on an application form approved by the department and shall provide the information required in R 336.1203.
(2) The department may issue a permit to install for any of the following reasons:
(a) To authorize a person to install, construct, reconstruct, relocate, or modify a process or process equipment pursuant to subrule (1)(a) of this rule.
(b) To establish limits on potential to emit. The limits shall comply with the provisions of R 336.1205(1)(a).
(c) To consolidate terms and conditions from existing permits to install within a renewable operating permit pursuant to R 336.1214a.

(d) To authorize a person to install, construct, reconstruct, relocate, or modify process or process equipment solely pursuant to subrule (1)(b) of this rule or to consolidate state-only enforceable conditions within a renewable operating permit when the renewable operating permit is issued pursuant to R 336.1214. This permit may establish terms and conditions that are legally enforceable solely pursuant to R 336.1224 to R 336.1232, R 336.1901, or other regulations that are not federally enforceable. Each condition in a permit issued pursuant to this subrule shall be identified as state-only enforceable.

(3) A permit to install may be approved subject to any condition, specified in writing, that is reasonably necessary to assure compliance with all applicable requirements.

(4) If a person decides not to install, construct, reconstruct, relocate, or modify the process or process equipment as authorized by a permit to install, then the person, or the authorized agent pursuant to R 336.1204, shall notify the department, in writing, and upon receipt of the notification by the department, the permit to install shall become void. If the installation, reconstruction, or relocation of the equipment, for which a permit has been issued, has not commenced within, or has been interrupted for, 18 months, then the permit to install shall become void, unless otherwise authorized by the department as a condition of the permit to install.

(5) Upon issuance of a permit to install, the emissions from the process or process equipment allowed by the permit to install shall be included in the potential to emit of the stationary source. Upon the physical removal of the process or process equipment, or upon a determination by the department that the process or process equipment has been permanently shut down, the permit to install shall become void and the emissions allowed by the permit to install shall no longer be included in the potential to emit of the stationary source.

(6) Except as provided in subrule (8) of this rule and R 336.1216, operation of the process or process equipment is allowed by the permit to install. The department may void a permit to install upon any of the following actions:

(a) A new permit to install authorizing the action is approved by the department in accordance with subrule (2)(a), (b), or (d) of this rule, and the new permit to install renders all portions of the old permit obsolete.

(b) All terms and conditions of the permit to install are incorporated into a renewable operating permit, in accordance with the provisions of R 336.1212(5) and R 336.1213, and a source-wide permit to install is issued pursuant to R 336.1214a.

(c) All of the emission units, processes, or process equipment covered by the permit to install are physically removed from the stationary source or the department makes a determination that the emission units, processes, or process equipment covered by the permit to install have been permanently shut down.

(7) The department may require 1 or both of the following notification requirements as a condition of a permit to install:

(a) Not more than 30 days after completion of the installation, construction, reconstruction, relocation, or modification authorized by the permit to install, unless a different period is specified in the permit to install, the person to whom the permit to install was issued, or the authorized agent pursuant to R 336.1204, shall notify the department, in writing, of the completion of the activity. Completion of the installation, construction, reconstruction, relocation, or modification is considered to occur not later than commencement of trial operation of the process or process equipment.

(b) Within 12 months after completion of the installation, construction, reconstruction, relocation, or modification authorized by the permit to install, or 18 months after the effective date of this rule, whichever is later, unless a different period is specified in the permit to install, the person to whom the permit to install was issued, or the authorized agent pursuant to R 336.1204, shall notify the department,

in writing, of the status of compliance of the process or process equipment with the terms and conditions of the permit to install. The notification shall include all of the following:
(i) The results of all testing, monitoring, and recordkeeping performed by the stationary source to determine the actual emissions from the process or process equipment and to demonstrate compliance with the terms and conditions of the permit to install.
(ii) A schedule of compliance for the process or process equipment.
(iii) A statement, signed by the person owning or operating the process or process equipment, that, based on information and belief formed after reasonable inquiry, the statements and information in the notification are true, accurate, and complete.
(8) If evidence indicates that the process or process equipment is not performing in accordance with the terms and conditions of the permit to install, the department, after notice and opportunity for a hearing, may revoke the permit to install consistent with section 5510 of the act. Upon revocation of the permit to install, operation of the process or process equipment shall be terminated. Revocation of a permit to install is without prejudice and a person may file a new application for a permit to install that addresses the reasons for the revocation.

R 336.1201a General permits to install.
Rule 201a. (1) The department may, after notice and opportunity for public participation pursuant to section 5511(3) of the act, issue a general permit to install covering numerous similar stationary sources or emission units. A general permit to install shall include terms and conditions which are necessary to assure that the stationary source or emission unit will comply with all applicable requirements and shall be consistent with the permit content requirements of R 336.1205(1)(a). The general permit to install shall also identify criteria by which a stationary source or emission unit may qualify for the general permit to install. The department shall grant the terms and conditions of the general permit to install to stationary sources or emission units that qualify within 30 days of receipt by the department of a complete application. An applicant shall be subject to enforcement action if the department later determines that the stationary source or emission unit does not qualify for the general permit to install.
(2) A person who owns or operates a stationary source or emission unit that would qualify for a general permit to install issued by the department pursuant to subrule (1) of this rule shall apply to the department for coverage under the terms of the general permit to install or may apply for a permit to install consistent with R 336.1201. The department may require the use of application forms designed for use with a specific general permit to install issued by the department. The application forms shall include all information necessary to determine qualification for, and to assure compliance with, the general permit to install. Without repeating the public participation process pursuant to subrule (1) of this rule, the department may grant a request by a person for authorization to install and operate a stationary source or emission unit pursuant to a general permit to install.
(3) The department shall maintain, and make available to the public upon request, a list of the persons that have been authorized to install and operate a stationary source or emission unit pursuant to each general permit to install issued by the department.

R 336.1202 Waivers of approval.
Rule 202. (1) If the requirement for approval of a permit to install before construction will create an undue hardship to the applicant, the applicant may request a waiver to proceed with construction from the department. The application for a waiver shall be in writing, shall explain the circumstances that will cause the undue hardship, and shall be signed by the owner or his or her authorized agent. The application shall be acted upon by the department within 30 days. If a waiver is granted, the applicant shall submit pertinent plans and specifications for approval as soon as is reasonably practical. The applicant, after a waiver is granted, shall proceed with the construction at his or her own risk; however,

operation of the equipment shall not be authorized until the application for a permit to install has been approved by the department. After construction, modification, relocation, or installation has begun or been completed, if the plans, specifications, and completed installations do not meet department approval, then the application for a permit to install shall be denied, unless the alterations required to effect approval are made within a reasonable time as specified by the department.
(2) The provisions of subrule (1) of this rule shall not apply to any of the following:
(a) Any activity that is subject to 40 C.F.R. §52.21, prevention of significant deterioration regulations, or R 336.1220, nonattainment new source review regulations.
(b) Construction or reconstruction of a major source of hazardous air pollutants as defined in and subject to, national emission standards for hazardous air pollutants for source categories.
(c) Construction or modification as defined in and subject to 40 C.F.R. part 61, national emission standards for hazardous air pollutants.
For the purpose of this subrule, "activity" means the concurrent and related installation, construction, reconstruction, relocation, or modification of any process or process equipment.

R 336.1203 Information required.
Rule 203. (1) An application for a permit to install shall include information required by the department on the application form or by written notice. This information may include, as necessary, any of the following:
(a) A complete description, in appropriate detail, of each emission unit or process covered by the application. The description shall include the size and type along with the make and model, if known, of the proposed process equipment, including any air pollution control equipment. The description shall also specify the proposed operating schedule of the equipment, provide details of the type and feed rate of material used in the process, and provide the capture and removal efficiency of any air pollution control devices. Applications for complex or multiple processes shall also include a block diagram showing the flow of materials and intermediate and final products.
(b) A description of any federal, state, or local air pollution control regulations which the applicant believes are applicable to the proposed process equipment, including a proposed method of complying with the regulations.
(c) A description in appropriate detail of the nature, concentration, particle size, pressure, temperature, and the uncontrolled and controlled quantity of all air contaminants that are reasonably anticipated due to the operation of the proposed process equipment.
(d) A description of how the air contaminant emissions from the proposed process equipment will be controlled or otherwise minimized.
(e) A description of each stack or vent related to the proposed process equipment, including the minimum anticipated height above ground, maximum anticipated internal dimensions, discharge orientation, exhaust volume flow rate, exhaust gas temperature, and rain protection device, if any.
(f) Scale drawings showing a plan view of the owner's property to the property lines and the location of the proposed equipment. The drawings shall include the height and outline of all structures within 150 feet of the proposed equipment and show any fence lines. All stacks or other emission points related to the proposed equipment shall also be shown on the drawings.
(g) Information, in a form prescribed by the department, that is necessary for the preparation of an environmental impact statement if, in the judgment of the department, the equipment for which a permit is sought may have a significant effect on the environment.
(h) Data demonstrating that the emissions from the process will not have an unacceptable air quality impact in relation to all federal, state, and local air quality standards.

(2) The department may require additional information necessary to evaluate or take action on the application. The applicant shall furnish all additional information, within 30 days of a written request by the department, except as provided by the following provisions:
(a) The applicant may request a longer period of time, in writing, specifying the reason why 30 days was not reasonable for submitting the information.
(b) The department may provide written notice to the applicant of an alternate time period for the submittal, either as part of the original request or upon the granting of an extension requested by the applicant.
(3) An applicant may reference a permit application previously submitted to the department for the purpose of supplying a portion of the information required by this rule. Any reference to a previously submitted permit application shall clearly identify the permit application number assigned to the previous application by the department. If acceptable to the department, an applicant may also reference other previously submitted information for the purpose of supplying a portion of the information required by this rule.

R 336.1204 Authority of agents.
Rule 204. When a person files an application for a permit to install as the agent of an applicant, the applicant shall furnish the department with written authorization for the filing of the application. The authorization shall indicate if the applicant intends that the department contact the agent directly with questions regarding the application and also indicate if the agent is authorized to negotiate the terms and conditions of the permit to install.

R 336.1205 Permit to install; approval.
Rule 205. (1) The department shall not approve a permit to install for a stationary source, process, or process equipment that meets the definition of a major offset source, major offset modification, or a major source or modification under any applicable requirement of part C of title I of the clean air act unless the requirements specified in subdivisions (a) and (b) of this subrule have been met. In addition, except as provided in subrule (3) of this rule, the department shall not approve a permit to install that includes limitations which restrict the potential to emit from a stationary source, process, or process equipment to a quantity below that which would constitute a major offset source, major offset modification, or a major source or modification under any applicable requirement of part C of title I of the clean air act unless both of the following requirements have been met:
(a) The permit to install contains emission limits that are enforceable as a practical matter. An emission limit restricts the amount of an air contaminant that may be emitted over some time period. The time period shall be set in accordance with the applicable requirements and, unless a different time period is provided by the applicable requirement, should generally not be more than 1 month, unless a longer time period is approved by the department. A longer time period may be used if it is a rolling time period, but shall not be more than an annual time period rolled on a monthly basis. If the emission limit does not reflect the maximum emissions of the process or process equipment operating at full design capacity without air pollution control equipment, then the permit shall contain 1 of the following:
(i) A production limit which restricts the amount of final product that may be produced over the same time period used in the emission limit and which comports with the true design and intended operation of the process or process equipment.
(ii) An operational limit which restricts the way the process or process equipment is operated and which comports with the true design and intended operation of the process or process equipment. An operational limit may include conditions specifying any of the following:
(A) The installation, operation, and maintenance of air pollution control equipment.

(B) The hours of operation of the stationary source, process, or process equipment, if the hours are less than continuous.
(C) The amount or type of raw materials used by the stationary source, process, or process equipment.
(D) The amount or type of fuel combusted by the stationary source, process, or process equipment.
(E) The installation, operation, and maintenance of a continuous gas flow meter and a continuous emission monitor for the air contaminant for which an enforceable emission limit is required.
(iii) For volatile organic compound surface coating operations where an add-on control is not employed, an emission or usage limit coupled with a requirement to calculate or demonstrate daily compliance.
(b) A draft permit has been subjected to the public participation process specified in section 5511(3) of the act. The department shall provide a copy of the draft permit to the United States environmental protection agency for review and comment at or before the start of the public comment period. The department shall also provide a copy of each final permit to install issued pursuant to this rule to the United States environmental protection agency.
(2) The department shall not approve a permit to install to construct a major source or reconstruct a major source under any applicable requirement of section 112 of the clean air act unless the requirements of subrule (1)(a) and (b) of this rule have been met. In addition, except as provided in subrule (3) of this rule, the department shall not approve a permit to install that includes limitations which restrict the potential to emit of a stationary source, process, or process equipment to a quantity below that which would constitute a major source or modification under any applicable requirement of section 112 of the clean air act unless the requirements of subrule (1)(a) and (b) of this rule have been met.
(3) The department may approve a permit to install that includes limitations which restrict the potential to emit of a stationary source, process, or process equipment to a quantity below that which would constitute a major offset source, major offset modification, or a major source or modification under any applicable requirement of section 112 or part C of title I of the clean air act without meeting the requirement of subrule (1)(b) of this rule if the emission limitations restrict the potential to emit of the stationary source, process, or process equipment to less than 90% of the quantity referenced in the applicable requirement.
(4) At such time that a particular source or modification becomes a major offset source, major offset modification, or a major source or modification under any applicable requirement of part C of title I of the clean air act solely by virtue of a relaxation in any permit limitation established on potential to emit a pollutant, such as a restriction on hours of operation, then the requirements of R 336.1201 and R 336.1220 shall apply to the source or modification as though construction had not yet commenced.

R 336.1206 Processing of applications for permits to install.
Rule 206. (1) The department shall review an application for a permit to install for administrative completeness pursuant to R 336.1203(1) within 10 days of its receipt by the department. The department shall notify the applicant in writing regarding the receipt and completeness of the application.
(2) Except for permit to install applications subject to a public comment period pursuant to R 336.1205(1)(b) or section 5511(3) of the act, the department shall take final action to approve or deny a permit within 60 days of receipt of all information required pursuant to R 336.1203(1) and (2). The department shall take final action to approve or deny a permit to install subject to a public comment period pursuant to R 336.1205(1)(b) or section 5511(3) of the act within 120 days of receipt of all information required pursuant to R 336.1203(1) and (2). For the purpose of this subrule, the time between when the department requests additional information from an applicant and when the applicant actually provides that information shall not be included in the 60-day and 120-day time frames for final action by the department. The failure of the department to act on an application that includes all the information required pursuant to R 336.1203(1) and (2) within the time frames specified in this subrule

may be considered a final permit action solely for the purpose of obtaining judicial review in a court of competent jurisdiction to require that action be taken by the department without additional delay.

R 336.1207 Denial of permits to install.
Rule 207. (1) The department shall deny an application for a permit to install if, in the judgment of the department, any of the following conditions exist:
(a) The equipment for which the permit is sought will not operate in compliance with the rules of the department or state law.
(b) Operation of the equipment for which the permit is sought will interfere with the attainment or maintenance of the air quality standard for any air contaminant.
(c) The equipment for which the permit is sought will violate the applicable requirements of the clean air act, as amended, 42 U.S.C. §7401 et seq., including any of the following:
(i) The standards of performance for stationary sources, 40 C.F.R. part 60.
(ii) The national emission standards for hazardous air pollutants, 40 C.F.R. part 61.
(iii) The requirements of prevention of significant deterioration of air quality, 40 C.F.R. §52.21.
(iv) The requirements for control technology determinations for major sources in accordance with 40 C.F.R. §63.40 to §63.44 and §63.50 to §63.56, adopted by reference in R 336.1299(e).
(d) Sufficient information has not been submitted by the applicant to enable the department to make reasonable judgments as required by subdivisions (a) to (c) of this subrule.
(2) When an application is denied, the applicant shall be notified in writing of the reasons therefor. A denial shall be without prejudice to the applicant's right to a hearing pursuant to section 5505(8) of the act or for filing a further application after revisions are made to meet objections specified as reasons for the denial.

R 336.1212 Administratively complete applications; insignificant activities; streamlining applicable requirements; emissions reporting and fee calculations.
Rule 212. (1) A timely and administratively complete application for a stationary source subject to the requirements of R 336.1210 shall meet the requirements of R 336.1210(2) and shall contain all information that is necessary to implement and enforce all applicable requirements that include a process-specific emission limitation or standard or to determine the applicability of those requirements.
(2) All of the following activities are considered to be insignificant activities at a stationary source and need not be included in an administratively complete application for a renewable operating permit:
(a) Repair and maintenance of grounds and structures.
(b) All activities and changes pursuant to R 336.1285(a) to (f); however, if any compliance monitoring requirements in the renewable operating permit would be affected by the change, then application shall be made to revise the permit pursuant to R 336.1216.
(c) All activities and changes pursuant to R 336.1287(f) to (h); however, if any compliance monitoring requirements in the renewable operating permit would be affected by the change, then application shall be made to revise the permit pursuant to R 336.1216.
(d) Use of office supplies.
(e) Use of housekeeping and janitorial supplies.
(f) Sanitary plumbing and associated stacks or vents.
(g) Temporary activities related to the construction or dismantlement of buildings, utility lines, pipelines, wells, earthworks, or other structures.
(h) Storage and handling of drums or other transportable containers that are sealed during storage and handling.

(i) Fire protection equipment, fire fighting and training in preparation for fighting fires. Prior approval by the department for open burning associated with training in preparation for fighting fires is required pursuant to R 336.1310.
(j) Use, servicing, and maintenance of motor vehicles, including cars, trucks, lift trucks, locomotives, aircraft, or watercraft, except where the activity is subject to an applicable requirement. The applicable requirement or the emissions of those air contaminants addressed by the applicable requirement shall be included in a timely and administratively complete application pursuant to R 336.1210. Examples of applicable requirements may include an applicable requirement for a fugitive dust control or operating program or an applicable requirement to include fugitive emissions pursuant to R 336.1211(1)(a)(ii). For the purpose of this subdivision, the maintenance of motor vehicles does not include painting or refinishing.
(k) Construction, repair, and maintenance of roads or other paved or unpaved areas, except where the activities are subject to an applicable requirement. The applicable requirement or the emissions of the air contaminants addressed by the applicable requirement shall be included in a timely and administratively complete application pursuant to R 336.1210. Examples of applicable requirements include an applicable requirement for a fugitive dust control or operating program or an applicable requirement to include fugitive emissions pursuant to R 336.1211(1)(a)(ii).
(l) Piping and storage of sweet natural gas, including venting from pressure relief valves and purging of gas lines.
(3) The following process or process equipment need not be included in an administratively complete application for a renewable operating permit, unless the process or process equipment is subject to applicable requirements that include a process-specific emission limitation or standard:
(a) All cooling and ventilation equipment listed in R 336.1280.
(b) Cleaning, washing, and drying equipment listed in R 336.1281(a) to (f) and (i).
(c) Electrically heated furnaces, ovens, and heaters listed in R 336.1282(a).
(d) All other equipment listed in R 336.1283.
(e) Containers listed in R 336.1284(a), (c), (d), (h), and (j) to (m).
(f) Miscellaneous equipment listed in R 336.1285(h) to (p), (r) to (t), (v) to (ii), (kk), and (ll) except for externally vented equipment listed in R 336.1285(l)(vi).
(g) All plastic processing equipment listed in R 336.1286.
(h) Surface coating equipment listed in R 336.1287(b), (d), (e), (i), (j), and (k).
(i) All oil and gas processing equipment listed in R 336.1288.
(j) Asphalt and concrete production equipment listed in R 336.1289(a) to (c).
(4) Unless subject to a process-specific emission limitation or standard, all of the following process or process equipment need only be listed in an administratively complete application for a renewable operating permit. The list shall include a description of the process or process equipment, including any control equipment pertaining to the process or process equipment, the source classification code (SCC), and a reference to the subdivision of this subrule that identifies the process or process equipment:
(a) Cleaning, washing, and drying equipment listed in R 336.1281(g), (h), and (j).
(b) Fuel-burning furnaces, ovens, and heaters listed in R 336.1282.
(c) Containers listed in R 336.1284(b), (e), (f), (g), and (i).
(d) Miscellaneous process or process equipment listed in R 336.1285(g), (q), (u), and (jj) and externally vented process equipment listed in R 336.1285(l)(vi).
(e) Surface-coating equipment listed in R 336.1287(a) and (c).
(f) Concrete batch production equipment listed in R 336.1289(d).
(g) Process or process equipment which has limited emissions and which is listed in R 336.1290.
(5) As a part of an application for a renewable operating permit, a person may seek to establish that certain terms or conditions of a permit to install, permit to operate, or order entered pursuant to the act

are not appropriate to be incorporated into the renewable operating permit or should be modified to provide for consolidation or clarification of the applicable requirements. An application for a renewable operating permit may include information necessary to demonstrate any of the following:

(a) That a term or condition of a permit to install, permit to operate, or order entered pursuant to the act is no longer an applicable requirement.

(b) That a term or condition of a permit to install, permit to operate, or order entered pursuant to the act should be modified to provide for consolidation or clarification of the applicable requirement. A person shall demonstrate that the modification results in enforceable applicable requirements which are equivalent to the applicable requirements contained in the original permit or order and that the equivalent requirements do not violate any other applicable requirement.

(c) That the equipment should be combined into emission units different from the emission units contained in a permit to install, permit to operate, or order entered pursuant to the act to provide for consolidation or clarification of the applicable requirement. A person shall demonstrate that the realignment of the emission units results in enforceable applicable requirements which are equivalent to the applicable requirements contained in the original permit or order and that the equivalent requirements do not violate any other applicable requirement.

(6) Beginning with the annual report of emissions required pursuant to R 336.202 and section 5503(k) of the act for calendar year 1995, or the first calendar year after a stationary source becomes a major source as defined by R 336.1211(1)(a), whichever is later, each stationary source subject to the requirements of this rule shall report the emissions, or the information necessary to determine the emissions, of each regulated air pollutant. The information shall be submitted utilizing the emissions inventory forms provided by the department. For the purpose of this subrule, "regulated air pollutant" means all of the following:

(a) Nitrogen oxides or any volatile organic compound.

(b) A pollutant for which a national ambient air quality standard has been promulgated under the clean air act.

(c) A pollutant that is subject to any standard promulgated under section 111 of the clean air act.

(d) A class I or II substance that is subject to a standard promulgated under or established by title VI of the clean air act.

(e) A pollutant that is subject to a standard promulgated under section 112 or other requirements established under section 112 of the clean air act, except for pollutants regulated solely pursuant to section 112(r) of the clean air act. Pollutants subject to a standard promulgated or other requirements established under section 112 of the clean air act include both of the following:

(i) A pollutant that is subject to requirements under section 112(j) of the clean air act. If the administrator of the United States environmental protection agency fails to promulgate a standard by the date established pursuant to section 112(e) of the clean air act, any pollutant for which a stationary source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to section 112(e) of the clean air act.

(ii) A pollutant for which the requirements of section 112(g)(2) of the clean air act have been met, but only with respect to the specific stationary source that is subject to the section 112(g)(2) requirement.

(7) For the purpose of calculating the annual air quality fee pursuant to section 5522 of the act, the actual emissions of a fee-subject air pollutant from all process or process equipment shall be determined. However, the actual emissions of a fee-subject air pollutant from process or process equipment listed pursuant to subrules (2) to (4) of this rule need not be calculated unless either of the following provisions is met:

(a) The process or process equipment is subject to a process-specific emission limitation or standard for the specific fee-subject air pollutant.

(b) The actual emissions from the process or process equipment exceed 10% of significant, as defined in R 336.1119(e), for that air pollutant.

R 336.1214a Consolidation of permits to install within a renewable operating permit.
Rule 214a. (1) The department shall issue a source-wide permit to install concurrent with each issuance and renewal of a renewable operating permit pursuant to R 336.1214 and each reissuance of a renewable operating permit pursuant to R 336.1217(2)(b). The source-wide permit to install shall be contained in the same document as the renewable operating permit. The source-wide permit to install shall specifically identify, consolidate, and incorporate all federally enforceable terms and conditions of existing permits to install into the renewable operating permit in accordance with the provisions of R 336.1212(5) and the permit content requirements of R 336.1213.
(2) The source-wide permit to install is updated whenever a new process-specific permit to install is incorporated into the renewable operating permit in accordance with the provisions of R 336.1216.
(3) Both of the following provisions apply to the incorporation of terms and conditions of a permit to install into a renewable operating permit:
(a) Within the renewable operating permit, each federally enforceable term or condition that originated in a permit to install shall be specifically identified with an applicable requirement citation of R 336.1201(1)(a). This citation is in addition to the R 336.1213(2)(a) underlying applicable requirement citation. Each term or condition of the renewable operating permit with an applicable requirement citation of R 336.1201(1)(a) shall be considered a term or condition of the source-wide permit to install issued pursuant to this rule.
(b) A federally enforceable term or condition of a renewable operating permit shall be considered a term or condition of the source-wide permit to install issued pursuant to this rule, if it can be reasonably demonstrated that the federally enforceable term or condition originated in a permit to install issued pursuant to R 336.1201. Each term or condition in a renewable operating permit issued before the effective date of this rule with any of the following underlying applicable requirements, identified pursuant to R 336.1213(2)(a), shall be considered a term or condition of the source-wide permit to install issued pursuant to this rule:
(i) R 336.1201, R 336.1201a, R 336.1220, and R 336.1299(e).
(ii) Title 40 C.F.R. §63.40 through §63.44.
(iii) R 336.1301(1)(c), R 336.1301(4), and R 336.1331(1)(c).
(iv) R 336.1401(1)(b) and R 336.1403(4).
(v) R 336.1702, R 336.1705, R 336.1706, R 336.1708, R 336.1709, and R 336.1710.
(vi) R 336.2415.
(vii) Title 40 C.F.R. §52.21.
(4) The source-wide permit to install replaces all existing permits to install, in accordance with R 336.1201(6)(b). Although the source-wide permit to install and the renewable operating permit are contained in the same document, the source-wide permit to install maintains its own authority under section 5505 of the act. If the renewable operating permit expires or is voided, the source-wide permit to install remains in effect, unless the criteria of R 336.1201(6)(a) or (6)(c) are met.
(5) State-only enforceable terms and conditions from a permit to install that have been incorporated into a renewable operating permit shall be considered terms and conditions of a state-only enforceable permit to install established pursuant to R 336.1201(2)(d). If the renewable operating permit later expires or is voided, the state-only enforceable permit to install does not expire, nor is it voided, unless the criteria of R 336.1201(6)(a) or (c) are met.
(6) Nothing in this rule shall relieve the requirement to obtain a permit to install pursuant to R 336.1201(1) for newly constructed, modified, reconstructed, or relocated process or process equipment that emits an air contaminant.

R 336.1216 Modifications to renewable operating permits.
Rule 216. (1) All of the following provisions apply to administrative permit amendments:
(a) An administrative permit amendment is a modification to a renewable operating permit that involves any of the following:
(i) A change that corrects typographical errors.
(ii) A change in the name, address, or phone number of the responsible official or other contact person identified in the application for the renewable operating permit or a similar minor administrative change at the stationary source.
(iii) A change that provides for more frequent monitoring or reporting.
(iv) A change in the ownership or operational control of a stationary source where the department determines that no other change in the permit is necessary, if a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new persons owning or operating the stationary source has been submitted to the department. The new person owning or operating the stationary source shall also notify the department of any change in the responsible official or contact person regarding the renewable operating permit.
(v) A change that incorporates into the renewable operating permit the terms and conditions of a permit to install issued pursuant to R 336.1201, if the permit to install includes terms and conditions that comply with the permit content requirements contained in R 336.1213, the procedure used to issue the permit to install was substantially equivalent to the requirements of R 336.1214(3) and (4) regarding public participation and review by affected states, the process or process equipment is in compliance with, and no changes are required to, the terms and conditions of the permit to install that are to be incorporated into the renewable operating permit, and both of the following have occurred:
(A) A person has notified the department, in writing, within 30 days after completion of the installation, construction, reconstruction, relocation, or modification of the process or process equipment covered by the permit to install, unless a different time frame is specified by an applicable requirement and required by the permit to install.
(B) Upon completion of all testing, monitoring, and recordkeeping required by the terms and conditions of the permit to install, but not later than 12 months after the date of completion reported in subparagraph (A) of this paragraph unless a different time frame is specified in the permit to install, a person has requested that the contents of the permit to install be incorporated into the renewable operating permit as an administrative permit amendment. The request shall include all of the following:
(1) The results of all testing, monitoring, and recordkeeping performed by the person to determine the actual emissions from the process or process equipment and to demonstrate compliance with the terms and conditions of the permit to install.
(2) A schedule of compliance for the process or process equipment.
(3) A certification by the responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the request are true, accurate, and complete.
(b) An administrative permit amendment, for changes identified in subdivision (a)(i) to (iv) of this subrule, shall be reviewed and final action taken according to the following procedure:
(i) The department shall take final action to approve or deny the request for an administrative permit amendment within 60 days of the receipt of the request, unless the department requests additional information to clarify the request. If the department requests additional information, the department shall take final action within 60 days of the receipt of the additional information. Upon approval of the request, the change shall be incorporated into the renewable operating permit without providing notice to the public or affected states. The change shall be clearly designated as an administrative permit amendment.

(ii) Upon approval, the department shall transmit a copy of the administrative permit amendment to the person that requested the amendment and the United States environmental protection agency.
(iii) A person may implement the changes identified in the request for an administrative permit amendment, at the person's own risk, immediately upon submittal of the request to the department. After the change has been made, and until the department takes final action as specified in paragraph (i) of this subdivision, a person shall comply with both of the applicable requirements governing the change and the permit terms and conditions proposed in the application for the administrative amendment. If a person fails to comply with the permit terms and conditions proposed in the application for the administrative amendment during this time period, the terms and conditions contained in the renewable operating permit are enforceable.
(iv) The permit shield provided under R 336.1213(6) does not extend to administrative amendments made pursuant to subdivision (a)(i) to (iv) of this subrule.
(c) An administrative permit amendment, for changes identified in subdivision (a)(v) of this subrule, shall be reviewed and final action taken according to the following procedure:
(i) Within 60 days after receipt by the department of all the information required pursuant to subdivision (a)(v)(B) of this subrule, the department shall determine whether the information provides an acceptable demonstration of compliance with the terms and conditions of the permit to install and shall transmit a copy of the information together with the determination and a proposed amended renewable operating permit to the United States environmental protection agency for a 45-day review period pursuant to 40 C.F.R. §70.8(c).
(ii) The department shall not take a final action to approve the administrative permit amendment if the administrator of the United States environmental protection agency objects to its approval, in writing, within 45 days of receipt by the United States environmental protection agency, of the information required in paragraph (i) of this subdivision. The department shall follow the procedure specified in 40 C.F.R. §70.8(c) in response to an objection by the administrator of the United States environmental protection agency.
(iii) A person may make the change authorized by the permit to install immediately after the permit to install has been approved by the department. After the change has been made, and until the department takes final action on the administrative permit amendment as specified in paragraph (ii) of this subdivision, the person shall comply with both the applicable requirements governing the change and the terms and conditions approved as a part of the permit to install. During this time period, the person may choose to not comply with the existing terms and conditions of the renewable operating permit that are modified by the permit to install. However, if the person fails to comply with the terms and conditions of the permit to install during this time period, the terms and conditions contained in the renewable operating permit are enforceable. The permit shield provided under R 336.1213(6) does not apply to the changes until the administrative permit amendment has been approved by the department.
(d) If the department denies the request for an administrative permit amendment, the department shall notify the person requesting the administrative permit amendment, in writing, that the request has been denied and the reasons for the denial. Any appeal of a denial by the department of an administrative permit amendment shall be pursuant to section 631 of 1961 PA 236, MCL 600.631. The denial of an administrative permit amendment pursuant to subrule (1)(c) of this rule is not a revocation of the permit to install.
(2) All of the following provisions apply to minor permit modifications:
(a) A minor permit modification is a change to a renewable operating permit for which none of the following provisions apply:
(i) The change would violate any applicable requirement.
(ii) The change would significantly affect any existing monitoring, reporting, or recordkeeping requirements contained in the renewable operating permit.

(iii) The change would require or affect any of the following:
(A) A case-by-case determination of a federally enforceable emission limitation or other standard.
(B) For temporary sources, a source-specific determination of ambient impacts.
(C) A visibility or increment analysis.
(iv) The change would seek to establish or affect a federally enforceable term or condition in the renewable operating permit for which there is no corresponding underlying applicable requirement and that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject. Following are examples of the terms and conditions described in this paragraph:
(A) An emissions cap assumed to avoid classification as a modification under any applicable provision of title I of the clean air act.
(B) An alternative emissions limit adopted by the stationary source as part of an early reduction program pursuant to section 112(i)(5) of the clean air act.
(v) The change is defined as a major offset modification or a modification under any applicable requirement of section 111, section 112, or part C of title I of the clean air act.
A minor permit modification includes a change authorized by a permit to install issued pursuant to R 336.1201, if the permit to install includes terms and conditions that comply with the permit content requirement of R 336.1213 and none of the provisions of this subrule apply.
(b) An application requesting a minor permit modification shall contain reasonable responses to all requests for information in the minor permit modification application forms required by the department, including all of the following information:
(i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.
(ii) The proposed changes to the terms and conditions of the renewable operating permit that the person applying for the minor permit modification believes are adequate to address the change and any new applicable requirements.
(iii) A certification by the responsible official which states that the proposed modification meets the criteria for use of minor permit modification procedures and that, based on information and belief formed after reasonable inquiry, the statements and information in the application are true, accurate, and complete.
(iv) Completed forms, supplied by the department, for the department to use to notify the United States environmental protection agency and any affected states.
(c) A minor permit modification shall be reviewed and final action taken according to the following procedure:
(i) Within 5 working days of receipt by the department of an application for a minor permit modification that meets the requirements of subdivision (b) of this subrule, the department shall notify the United States environmental protection agency and any affected states of the requested minor permit modification.
(ii) The department shall notify the administrator of the United States environmental protection agency and the affected state, in writing, of any refusal by the department to accept any recommendations for the minor permit modification that the affected state submitted to the department during the time period for review specified in paragraph (iii) of this subdivision and before final action has been taken on the minor permit modification. The notice shall include the department's reasons for not accepting any recommendation. The department is not required to accept recommendations that are not based on applicable requirements.
(iii) The department shall not issue a final minor permit modification until after the United States environmental protection agency's 45-day review period or until the United States environmental protection agency has notified the department that the agency will not object to issuance of the minor

permit modification. Within 90 days of the department's receipt of an application for a minor permit modification, or 15 days after the end of the United States environmental protection agency's 45-day review period, whichever is later, the department shall take 1 of the following actions and notify, in writing, the person applying for the minor permit modification of that action:
(A) Approve the permit modification as proposed.
(B) Revise the draft minor permit modification, with the consent of the person applying for the minor permit modification, and transmit the revised draft minor permit modification to the United States environmental protection agency. Transmittal of a revised draft minor permit modification to the United States environmental protection agency restarts the 45-day review period specified in this paragraph.
(C) Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures. The notification by the department shall specify why the request does not meet the criteria for a minor permit modification.
(D) Deny the permit modification application for cause. The notification by the department shall specify the reasons for the denial. The appeal of a denial by the department of a minor permit modification shall be pursuant to section 631 of 1961 PA 236, MCL 600.631.
(d) A person may make the change proposed in the application for a minor permit modification, at the person's own risk, immediately after the department has received the application. After the change has been made, and until the department takes final action as specified in subdivision (c)(iii)(A) to (C) of this subrule, a person shall comply with both of the applicable requirements governing the change and the permit terms and conditions proposed in the application for the minor permit modification. During this time period, a person may choose to not comply with the existing permit terms and conditions that the application for a minor permit modification seeks to modify. However, if the person fails to comply with the permit terms and conditions proposed in the application for the minor permit modification during this time period, the terms and conditions contained in the renewable operating permit are enforceable.
(e) Notwithstanding the restrictions of subdivision (a) of this subrule, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that the approaches have been approved by the administrator of the United States environmental protection agency as a part of Michigan's state implementation plan. The approaches shall identify the specific modifications that can be made using the minor permit modification procedures.
(f) The permit shield under R 336.1213(6) shall not extend to minor permit modifications.
(3) All of the following provisions apply to significant modifications:
(a) A significant modification is a modification to a renewable operating permit which is not an administrative permit amendment pursuant to subrule (1) of this rule, or is not a minor permit modification pursuant to subrule (2) of this rule, and which involves any of the following changes, unless the change is allowed under the terms and conditions of a permit to install that has been approved by the department pursuant to the requirements of subrule (1)(a)(v) of this rule:
(i) A modification under any applicable provision of title I of the clean air act.
(ii) Except as provided pursuant to subrule (1)(c)(iii) of this rule, any change that would result in emissions that exceed the emissions allowed under the renewable operating permit. The emissions allowed under the permit include any emission limitation, production limit, or operational limit, including a work practice standard, required by an applicable requirement, or any emission limitation, production limit, or operational limit, including a work practice standard, that establishes an emissions cap that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject.
(iii) The change would significantly affect an existing monitoring, recordkeeping, or reporting requirement included in the renewable operating permit.

(iv) The change would require or modify a case-by-case determination of an emission limitation or other standard, a source-specific determination of ambient air impacts for temporary sources, or a visibility or increment analysis.
(v) The change would seek to establish or modify an emission limitation, standard, or other condition of the renewable operating permit that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject.
(b) An administratively complete application for a significant permit modification shall be limited to address only the process and process equipment that will be affected by the change.
(c) The terms and conditions of a significant permit modification shall meet all the permit content requirements of R 336.1213 for the process and process equipment affected by the change.
(d) The procedure for taking final action on significant permit modification shall follow the requirements of R 336.1214, except that final actions on significant permit modifications shall be taken within 9 months of the receipt by the department of an administratively complete application.
(e) If a significant permit modification is denied, the department shall notify, in writing, the person applying for the modification. The notification of denial shall specify the reasons for the denial. Any appeal of a denial by the department of a significant permit modification shall be pursuant to section 631 of 1961 PA 236, MCL 600.631.
(4) All of the following provisions apply to state-only modifications:
(a) A state-only modification to a renewable operating permit involves changes to terms and conditions in the renewable operating permit that are designated as not enforceable under the clean air act pursuant to R 336.1213(5). If the change results in new applicable requirements that must be enforceable under the clean air act, then the change shall not be a state-only modification.
(b) An application requesting a state-only modification shall contain reasonable responses to all requests for information in the application forms required by the department, including all of the following information:
(i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.
(ii) The proposed changes to the terms and conditions of the renewable operating permit that the person applying for the state-only modification believes are adequate to address the change and any new applicable requirements.
(iii) A certification by the responsible official which states that the proposed modification meets the criteria for use of the state-only modification procedures and that, based on information and belief formed after reasonable inquiry, the statements and information in the application are true, accurate, and complete.
(c) A state-only modification shall be reviewed and final action taken within 90 days of the department's receipt of an application for the state-only modification. The department shall take 1 of the following actions and notify, in writing, the person applying for the state-only modification of that action:
(i) Approve the state-only modification as proposed.
(ii) Revise the draft state-only modification, with the consent of the person applying for the modification, and approve the revised modification.
(iii) Determine that the requested modification does not meet the criteria for a state-only modification and should be reviewed pursuant to subrule (1), (2), or (3) of this rule. The notification by the department shall specify why the request does not meet the criteria for a state-only modification.
(iv) Deny the state-only modification application for cause. The notification by the department shall specify the reasons for the denial. The appeal of a denial by the department of a state-only modification shall be pursuant to section 631 of 1961 PA 236, MCL 600.631.
(d) A person may make the change proposed in the application for a state-only modification, at the person's own risk, immediately after the application has been received by the department. After the

change has been made, and until the department takes final action as specified in subdivision (c)(i) to (iv) of this subrule, the person shall comply with both the applicable requirements governing the change and the permit terms and conditions proposed in the application for the minor permit modification. During this time period, the person may choose, at the person's own risk, to not comply with the existing permit terms and conditions that the application for a state-only modification seeks to modify. However, if the person fails to comply with the permit terms and conditions proposed in the application for the state-only modification during this time period, or if the state-only modification is denied by the department, the terms and conditions contained in the renewable operating permit are enforceable.
(e) The permit shield provided under R 336.1213(6) does not apply to the state-only modification until the changes have been approved by the department.

R 336.1219 Amendments for change of ownership or operational control.
Rule 219. (1) A person shall notify the department, in writing, of a change in ownership or operational control of a stationary source or emission unit authorized by a permit to install or a permit to operate. The notification shall include all of the following information:
(a) A description of the stationary source or emission unit affected by the change and a listing of the permits involved in the request.
(b) An identification of the new owner or operator and a specific date for the transfer of responsibility, coverage, and liability.
(c) A written statement by the new person owning or operating the stationary source or emission unit that the terms and conditions of the permit to install or permit to operate are understood and accepted. Acceptance of the terms and conditions of a permit does not affect the person's ability to subsequently request a modification to the permit to install or permit to operate pursuant to R 336.1201. The new person owning or operating the stationary source shall also notify the department of any change in the contact person regarding the permit.
(2) A change in ownership or operational control of a stationary source or emission unit covered by a renewable operating permit shall be made pursuant to R 336.1216(1).

R 336.1220 Construction of major offset sources and major offset modifications proposed for location within nonattainment areas.
Rule 220. (1) A proposed major offset source or major offset modification for which volatile organic compounds, particulate matter, PM-10, carbon monoxide, nitrogen oxides, sulfur dioxide, or lead is a major nonattainment air contaminant shall comply with all of the following provisions:
(a) The proposed major offset source or major offset modification shall comply with all of the following applicable control technology requirements:
(i) Lowest achievable emission rate for the following:
(A) For a major offset source, each nonattainment air contaminant for which the potential to emit is 100 or more tons per year.
(B) For a major offset modification, each nonattainment air contaminant for which there is a significant net emissions increase at the major offset source. This provision applies to each emission unit at which there is a net emissions increase as a result of the addition of an emission unit or a physical change in, or change in the method of operation of, an emission unit.
(ii) Best available control technology, as defined in the prevention of significant deterioration regulations, 40 C.F.R. §52.21(2002), for a major offset source for each nonattainment air contaminant for which the potential to emit is significant but less than 100 tons per year. This definition of best available control technology is herein adopted by reference. A copy of this definition, contained in 40 C.F.R. part 52 (2002), may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the

time of adoption of these rules of $55.00. A copy of 40 C.F.R. part 52, may also be obtained from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of $55.00, or on the United States government printing office internet web site at http://www.gpo.gov.

(iii) In the case of nitrogen oxides, the control technology requirements described in paragraphs (i) and (ii) of this subdivision do not apply if both of the following conditions are met:

(A) Additional nitrogen oxides emission reductions would not decrease ozone.

(B) The United States environmental protection agency has determined, pursuant to the provisions of section 182(f) of the clean air act, that for certain classes or categories of sources, the net air quality benefits are greater in the absence of reductions of nitrogen oxides from the sources concerned.

(b) All stationary sources which have a potential to emit 100 or more tons per year of any air contaminant regulated under the clean air act, which are located in the state, and which are owned or controlled by the owner, operator, or an entity controlling, controlled by, or under common control with, the owner or operator of the proposed major offset source or major offset modification shall be in compliance with all applicable local, state, and federal air quality regulations or shall be in compliance with a legally enforceable permit condition or order of the department specifying a plan and timetable for compliance.

(c) Before the start-up of the proposed major offset source or major offset modification, an emission reduction (offset) for each major nonattainment air contaminant shall be provided consistent with the following provisions:

(i) In the case of volatile organic compounds, the offset shall be in compliance with both of the following provisions:

(A) In any nonclassified or marginal ozone nonattainment area, the offset shall be equal to or greater than 110% of the allowable emissions from the proposed major offset source or major offset modification.

(B) In any moderate nonattainment area for ozone, the offset shall be equal to or greater than 115% of the allowable emissions from the proposed major offset source or major offset modification.

(ii) In the case of nitrogen oxides, the offset shall be equal to or greater than 115% of the allowable emissions from the proposed major offset source or major offset modification if the major offset source or major offset modification is located in a moderate ozone nonattainment area, unless both of the following conditions are met:

(A) Additional nitrogen oxides emissions reductions would not decrease ozone.

(B) The United States environmental protection agency has determined, pursuant to the provisions of section 182(f) of the clean air act, that for certain classes or categories of sources the net air quality benefits are greater in the absence of reductions of nitrogen oxides from the sources concerned.

(iii) In the case of particulate matter, PM-10, carbon monoxide, sulfur dioxide, or lead, the offset for each major nonattainment air contaminant shall be equal to or greater than the applicable rate as follows:

(A) 120% of the allowable emissions from the proposed major offset source or major offset modification if the major offset source is located in an area not meeting the applicable primary air quality standard for that major nonattainment air contaminant.

(B) 110% of the allowable emissions from the proposed major offset source or major offset modification if the major offset source is located in an area not meeting the applicable secondary air quality standard for that major nonattainment air contaminant.

(C) 150% of the allowable emissions from the proposed major offset source or major offset modification if the offset is from the control of fugitive emissions, regardless of the type of nonattainment area in which the major offset source is located.

(iv) Notwithstanding the required amounts of offsets specified in paragraph (iii) of this subdivision, the department may, on a case-by-case basis, deem as acceptable offsets which are more than 100% of the

allowable emissions from the proposed major offset source or major offset modification for that major nonattainment air contaminant, if all of the provisions of subrule (2) of this rule are met.
(d) The owner or operator of a proposed major offset source or major offset modification shall provide an analysis of alternative sites, sizes, production processes, and environmental control techniques for the proposed major offset source or major offset modification which demonstrates that the benefits of the proposed major offset source or major offset modification significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.
(2) Offsets shall meet all of the following provisions:
(a) Offsets shall be of the same air contaminant class, that is, volatile organic compounds, particulate matter, PM-10, carbon monoxide, nitrogen oxides, sulfur dioxide, or lead; and the offsets shall be in a time frame compatible with all of the applicable air quality standards.
(b) Only those offsets occurring after the year used as the baseline for the state implementation plan, or the date on which an area is classified nonattainment for an air contaminant, whichever is later, may be used. Offsets occurring before January 1, 1991, shall not be used.
(c) Offsets shall be permanent, quantifiable, and federally enforceable and shall be based upon the lower of the actual emissions or allowable emissions.
(d) Offsets shall be obtained from the same nonattainment area as the proposed major source or major offset modification, except another nonattainment area may be used if both of the following conditions are met:
(i) The other area has an equal or higher nonattainment classification than the area in which the proposed source is located.
(ii) Nonattainment air contaminant emissions from the other area contribute to a violation of a national ambient air quality standard in the nonattainment area in which the proposed major offset source or major offset modification would be located.
(e) Emission reductions otherwise required by the clean air act, rules promulgated under the clean air act, or by state rule, permit, or order shall not be used as offsets. Incidental emission reductions which are not otherwise required may be used as offsets if they meet the requirements of this subrule.
(3) The provisions of subrule (1) of this rule do not apply to a physical change in, or change in the method of operation of, a process or process equipment resulting from any of the following:
(a) Routine maintenance, routine repair, or routine replacement.
(b) Use of an alternate fuel or raw material in a process or process equipment by reason of an order under section 2(a) and (b) of the energy supply and environmental coordination act of 1974, 15 U.S.C. §791, or by reason of a natural gas curtailment plan pursuant to the federal power act, 16 U.S.C. §791.
(c) Use of an alternate fuel in a process or process equipment by reason of an order or rule under section 125 of the clean air act, as amended, 42 U.S.C. §7401 et seq.
(d) Use of an alternate fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.
(e) Use of an alternate fuel or raw material in a process or process equipment which the process or process equipment was capable of accommodating before December 21, 1976, unless the change would be prohibited under any legally enforceable permit condition or order.
(f) An increase in the hours of operation or in the production rate, unless the change would be prohibited under any legally enforceable permit condition or order.
(4) The provisions of subrule (1)(c) of this rule do not apply to emissions resulting from proposed major offset sources or major offset modifications to the extent that the emissions are temporary and will not prevent reasonable further progress towards attainment of any applicable standard. Examples of temporary emissions include emissions from all of the following:
(a) Pilot plants.
(b) Portable facilities which will be relocated outside the nonattainment area within 18 months.

(c) The construction phase of a major offset source or major offset modification.
(5) The provisions of this rule do not apply to organic compounds which have negligible photochemical reactivity that are listed in 40 C.F.R. §51.100(s)(1) (2002). Organic compounds which have negligible photochemical reactivity that are listed in 40 C.F.R. §51.100(s)(1) shall not be used as an offset to allow for the construction of any major offset source or major offset modification. The department adopts by reference in these rules the provisions of 40 C.F.R. §51.100(s)(1) (2002). A copy of 40 C.F.R. §51.100(s)(1) (2002) may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R. §51.100(s)(1) (2002) may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $40.00; from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of $40.00; or on the United States government printing office internet web site at http://www.gpo.gov.
(6) Emission units specified in subdivision (c) of this subrule shall be in compliance with the following provisions:
(a) The lowest emission limit that a particular emission unit is capable of meeting by the application of control measures that are reasonably available considering technological and economic feasibility.
(b) Compliance with the provisions of subdivision (a) of this subrule shall be deemed to be met for emission units meeting the following provisions:
(i) For emission units which may emit volatile organic compounds, the application of the best available control technology.
(ii) For emission units which may emit particulate matter, the application of the best technically feasible, practical equipment available.
(c) The provisions of this subrule shall apply to emission units meeting either of the following descriptions:
(i) A proposed particular change of an emission unit which is exempted by the provisions of subrule (3)(b) to (e) of this rule and which results in a significant increase in actual emissions of any non-attainment air contaminant from that emission unit.
(ii) A proposed particular change of a process or process equipment which does not result in a significant net emissions increase at the major offset source, but which results in a significant increase in actual emissions of any nonattainment air contaminant from that process or process equipment.

R 336.1240 Required air quality models.
Rule 240. All air quality modeling demonstrations required by 40 C.F.R. §52.21, R 336.1220, or used to support or amend the state implementation plan shall be made in accordance with the models and procedures in 40 C.F.R. §51.160(f) and appendix W (2002). The department adopts by reference in these rules the provisions of 40 C.F.R. §51.160(f) and appendix W (2002). A copy of 40 C.F.R. §51.160(f) and appendix W (2002) may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R. §51.160(f) and appendix W (2002) may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $40.00; from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of $40.00; or on the United States government printing office internet web site at http://www.gpo.gov.

R 336.1241 Air quality modeling demonstration requirements.
Rule 241. (1) All air quality modeling demonstrations required by the department which are not subject to R 336.1240 shall be consistent with all of the following requirements:

(a) The modeling is performed using at least 1 calendar year of meteorological data collected at a national weather service station.
(b) Meteorological data from a site other than a national weather service station may be used if it is demonstrated, to the satisfaction of the department, to be more representative of the meteorological conditions at the stationary source.
(c) The receptor grid network shall be sufficiently dense and strategically located to ensure, to the satisfaction of the department, that maximum ambient air quality concentrations are predicted.
(d) The modeling demonstration shall not give credit for any dispersion enhancement technique, including any of the following:
(i) Any portion of stack height that exceeds good engineering practice design, unless such stack height existed before December 31, 1970.
(ii) Any technique that varies source emissions according to atmospheric conditions or ambient concentrations.
(2) In the best interest of public health, safety, welfare, and the environment, the department may approve the use of an alternate model if all of the following conditions are met:
(a) A request for utilization of an alternate model is submitted to the department.
(b) The applicant demonstrates to the department, using the appropriate methodology cited in 40 C.F.R., part 51, appendix W, adopted by reference in R 336.1240, that the alternate model produces concentration estimates equivalent to the estimates obtained from the preferred model.
(c) The alternate model or its algorithms are sufficiently described and documented to enable the department to duplicate results.
(d) Output from the alternate model is sufficient to enable comparison with any applicable ambient air quality standard.
(e) The applicant agrees to provide an executable copy of the model for future use by the department.
(3) The use of an alternate model previously approved by the department may be extended for use by others if it is documented, to the satisfaction of the department, that the conditions for which the model will be applied are essentially the same as those for which the alternate model was originally approved.

R 336.1278 Exclusion from exemption.
Rule 278. (1) The exemptions specified in R 336.1280 to R 336.1290 do not apply to either of the following:
(a) Any activity that is subject to 40 C.F.R. §52.21, prevention of significant deterioration regulations, or R 336.1220, nonattainment new source review regulations.
(b) Any activity that results in an increase in actual emissions greater than the significance levels defined in R 336.1119.
For the purpose of this rule, "activity" means the concurrent and related installation, construction, reconstruction, relocation, or modification of any process or process equipment.
(2) The exemptions specified in R 336.1280 to R 336.1290 do not apply to the construction of a new major source of hazardous air pollutants or reconstruction of a major source of hazardous air pollutants, as defined in and subject to 40 C.F.R. §63.2 and §63.5(b)(3), national emission standards for hazardous air pollutants.
(3) The exemptions specified in R 336.1280 to R 336.1290 do not apply to a construction or modification as defined in and subject to 40 C.F.R. part 61, national emission standards for hazardous air pollutants.
(4) The exemptions in R 336.1280 to R 336.1290 apply to the requirement to obtain a permit to install only and do not exempt any source from complying with any other applicable requirement or existing permit limitation.

R 336.1278a Scope of permit exemptions.
Rule 278a. (1) To be eligible for a specific exemption listed in R 336.1280 through R 336.1290, any person owning or operating an exempt process or exempt process equipment shall be able to provide information demonstrating the applicability of the exemption. The demonstration shall be provided within 30 days of a written request from the department. The demonstration may include the following information:
(a) A description of the exempt process or process equipment, including the date of installation.
(b) The specific exemption being used by the process or process equipment.
(c) An analysis demonstrating that R 336.1278 does not apply to the process or process equipment.
(2) The records required by this rule shall be provided in addition to any other records required within a specific exemption.

R 336.1279 Rescinded.

R 336.1281 Permit to install exemptions; cleaning, washing, and drying equipment.
Rule 281. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:
(a) Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.
(b) Equipment used for portable steam cleaning.
(c) Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system or collector serving them exclusively.
(d) Portable blast-cleaning equipment equipped with appropriately designed and operated enclosure and control equipment.
(e) Equipment used for washing or drying materials, where the material itself cannot become an air contaminant, if no volatile organic compounds are used in the process and no oil or solid fuel is burned.
(f) Laundry dryers, extractors, or tumblers for fabrics cleaned with only water solutions of bleach or detergents.
(g) Dry-cleaning equipment that has a capacity of 100 or less pounds of clothes.
(h) Cold cleaners that have an air/vapor interface of not more than 10 square feet.
(i) Sterilization equipment at medical and pharmaceutical facilities using steam, hydrogen peroxide, peracetic acid, or a combination thereof.
(j) Portable blast-cleaning equipment used during construction to clean new water tanks or other new structures if the tank or structure is not located closer than the lesser of 750 feet or 5 times the height of the structure to the nearest residential, commercial, or public facility and the abrasive media is a low dusting material that does not contain more than 5% crystalline silica.

R 336.1282 Permit to install exemptions; furnaces, ovens, and heaters.
Rule 282. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:
(a) Any of the following processes or process equipment which are electrically heated or which fire sweet gas fuel or no. 1 or no. 2 fuel oil at a maximum total heat input rate of not more than 10,000,000 Btu per hour:
(i) Furnaces for heat treating glass or metals, the use of which does not involve molten materials, oil-coated parts, or oil quenching.
(ii) Porcelain enameling furnaces or porcelain enameling drying ovens.
(iii) Kilns for firing ceramic ware.

(iv) Crucible furnaces, pot furnaces, or induction melting and holding furnaces that have a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.
(v) Bakery ovens and confection cookers where the products are edible and intended for human consumption.
(vi) Electric resistance melting and holding furnaces that have a capacity of not more than 6,000 pounds per batch and 16,000 pounds per day, which melt only clean charge. Fluxing that results in the emission of any hazardous air pollutant shall not occur in the furnace.
(b) Fuel-burning equipment which is used for space heating, service water heating, electric power generation, oil and gas production or processing, or indirect heating and which burns only the following fuels:
(i) Sweet natural gas, synthetic gas, liquefied petroleum gas, or a combination thereof and the equipment has a rated heat input capacity of not more than 50,000,000 Btu per hour.
(ii) Number 1 fuel oil, number 2 fuel oil, distillate oil, the gaseous fuels specified in paragraph (i) of this subdivision, or a combination thereof which contains not more than 0.40% sulfur by weight and the equipment has a rated heat input capacity of not more than 20,000,000 Btu per hour.
(iii) Wood, wood residue, or wood waste which is not painted or treated with wood preservatives, which does not contain more than 25% plywood, chipboard, particleboard, and other types of manufactured wood boards, which is not contaminated with other waste materials, and the equipment has a rated heat input capacity of not more than 6,000,000 Btu per hour.
(iv) Waste oil or used oil fuels which are generated on the geographical site and the equipment has a rated heat input capacity of not more than 500,000 Btu per hour.
(c) Fuel-burning and refuse-burning equipment used in connection with a structure that is designed and used exclusively as a dwelling for not more than 3 families.
(d) All residential cooking equipment.
(e) Equipment, including smokehouses, at restaurants and other retail or institutional establishments that is used for preparing food for human consumption.
(f) Blacksmith forges.
(g) Sour gas-burning equipment, if the actual emission of sulfur dioxide does not exceed 1 pound per hour.

R 336.1284 Permit to install exemptions; containers.
Rule 284. Except as specified in R 336.1278, the requirement of R 336.1201(1) to obtain a permit to install does not apply to containers, reservoirs, or tanks used exclusively for any of the following:
(a) Dipping or storage operations for coating objects with oils, waxes, greases, or natural or synthetic resins containing no organic solvents.
(b) Storage of butane, propane, or liquefied petroleum gas in a vessel that has a capacity of less than 40,000 gallons.
(c) Storage and surge capacity of lubricating, hydraulic, and thermal oils and indirect heat transfer fluids.
(d) Storage of no. 1 to no. 6 fuel oil as specified in ASTM-D-396, gas turbine fuel oils nos. 2-GT to 4-GT as specified in ASTM-D-2880, or diesel fuel oils nos. 2-D and 4-D as specified in ASTM-D-975. The ASTM methods are adopted in these rules by reference. Copies may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies may be obtained from the Department of Environmental Quality, Air Quality Division, P.0. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $30.00 for ASTM-D-396, $30.00 for ASTM-D-2880, and $35.00 for ASTM-D-975. Copies may also be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania

19428-2959, at a cost as of the time of adoption of these rules of $30.00 for ASTM-D-396, $30.00 for ASTM-D-2880, and $35.00 for ASTM-D-975.
(e) Storage of sweet crude or sweet condensate in a vessel that has a capacity of less than 40,000 gallons.
(f) Storage of sour crude or sour condensate in a vessel that has a capacity of less than 40,000 gallons if vapor recovery or its equivalent is used to prevent the emission of vapors to the atmosphere.
(g) Gasoline or natural gas storage and handling equipment, as follows:
(i) Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at dispensing facilities.
(ii) Natural gas storage and handling equipment at dispensing facilities.
(h) Storage of water solutions of inorganic salts and bases and of water solutions of the following acids:
(i) Sulfuric acid that is not more than 99% by weight.
(ii) Phosphoric acid that is not more than 99% by weight.
(iii) Nitric acid that is not more than 20% by weight.
(iv) Hydrochloric acid that is not more than 11% by weight.
(i) Storage or transfer operations of volatile organic compounds or noncarcinogenic liquids in a vessel that has a capacity of not more than 40,000 gallons where the contents have a true vapor pressure of not more than 1.5 psia at the actual storage conditions.
(j) Pressurized storage of acetylene, hydrogen, oxygen, nitrogen, helium, and other substances, excluding chlorine and anhydrous ammonia in a quantity of more than 500 gallons, that have a boiling point of 0 degrees Celsius or lower.
(k) Storage containers of noncarcinogenic solid material, including silos, which only emit particulate matter and which are controlled with an appropriately designed and operated fabric filter collector system or an equivalent control system.
(l) Filling of noncarcinogenic liquids in shipping or storage containers that have emissions which are released only into the general in-plant environment.
(m) Storage of wood and wood residues.

R 336.1285 Permit to install exemptions; miscellaneous.
Rule 285. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:
(a) Routine maintenance, parts replacement, or other repairs that are considered by the department to be minor, or relocation of process equipment within the same geographical site not involving any appreciable change in the quality, nature, quantity, or impact of the emission of an air contaminant therefrom. Examples of parts replacement or repairs considered by the department to be minor include the following:
(i) Replacing bags in a baghouse.
(ii) Replacing wires, plates, rappers, controls, or electric circuitry in an electrostatic precipitator which does not measurably decrease the design efficiency of the unit.
(iii) Replacement of fans, pumps, or motors which does not alter the operation of a source or performance of air pollution control equipment.
(iv) Boiler tubes.
(v) Piping, hoods, and ductwork.
(vi) Replacement of engines, compressors, or turbines as part of a normal maintenance program.
(b) Changes in a process or process equipment which do not involve installing, constructing, or reconstructing an emission unit and which do not involve any meaningful change in the quality and nature or any meaningful increase in the quantity of the emission of an air contaminant therefrom. Examples of such changes in a process or process equipment include the following:

(i) Change in the supplier or formulation of similar raw materials, fuels, or paints and other coatings.
(ii) Change in the sequence of the process.
(iii) Change in the method of raw material addition.
(iv) Change in the method of product packaging.
(v) Change in process operating parameters.
(vi) Installation of a floating roof on an open top petroleum storage tank.
(vii) Replacement of a fuel burner in a boiler with an equally or more thermally efficient burner.
(viii) Lengthening a paint drying oven to provide additional curing time.
(c) Changes in a process or process equipment which do not involve installing, constructing, or reconstructing an emission unit and which involve a meaningful change in the quality and nature, or a meaningful increase in the quantity, of the emission of an air contaminant resulting from any of the following:
(i) Changes in the supplier or supply of the same type of virgin fuel, such as coal, no. 2 fuel oil, no. 6 fuel oil, or natural gas.
(ii) Changes in the location, within the storage area, or configuration of a material storage pile or material handling equipment.
(iii) Changes in a process or process equipment to the extent that such changes do not alter the quality and nature, or increase the quantity, of the emission of the air contaminant beyond the level which has been described in and allowed by an approved permit to install, permit to operate, or order of the department.
(d) Reconstruction or replacement of air pollution control equipment with equivalent or more efficient equipment.
(e) Installation, construction, or replacement of air pollution control equipment for an existing process or process equipment for the purpose of complying with the national emission standards of hazardous air pollutants regulated under section 112 of part A of title I of the clean air act, 84 Statutes 1685, 42 U.S.C. §7412.
(f) Installation or construction of air pollution control equipment for an existing process or process equipment if the control equipment itself does not actually generate a significant amount of criteria air contaminants as defined in R 336.1119(e) or a meaningful quantity of toxic air contaminants.
(g) Internal combustion engines that have less than 10,000,000 Btu/hour maximum heat input.
(h) Vacuum pumps in laboratory or pilot plant operations.
(i) Brazing, soldering, welding, or plasma coating equipment.
(j) Portable cutting torches.
(k) Grain, metal, or mineral extrusion presses.
(l) The following equipment and any exhaust system or collector exclusively serving the equipment:
(i) Equipment used exclusively for bending, forming, expanding, rolling, forging, pressing, drawing, stamping, spinning, or extruding either hot or cold metals.
(ii) Die casting machines.
(iii) Equipment for surface preparation of metals by use of aqueous solutions, except for acid solutions.
(iv) Atmosphere generators used in connection with metal heat treating processes.
(v) Equipment used exclusively for sintering of glass or metals, but not exempting equipment used for sintering metal-bearing ores, metal scale, clay, flyash, or metal compounds.
(vi) Equipment for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals, plastics, concrete, rubber, paper stock, wood, or wood products which meets any of the following:
(A) Equipment used on a nonproduction basis.
(B) Equipment has emissions that are released only into the general in-plant environment.

(C) Equipment has externally vented emissions controlled by an appropriately designed and operated fabric filter collector that, for all specified operations with metal, is preceded by a mechanical precleaner.
(vii) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy, including any of the following:
(A) Blueprint machines.
(B) Photocopiers.
(C) Mimeograph machines.
(D) Photographic developing processes.
(E) Microfiche copiers.
(viii) Battery charging operations.
(ix) Pad printers.
(m) Lagoons, process water treatment equipment, wastewater treatment equipment, and sewage treatment equipment, except for any of the following:
(i) Lagoons and equipment primarily designed to treat volatile organic compounds in process water, wastewater, or groundwater, unless the emissions from the lagoons and equipment are only released into the general in-plant environment.
(ii) Sludge incinerators and dryers.
(iii) Heat treatment processes.
(iv) Odor control equipment.
(n) Livestock and livestock handling systems from which the only potential air contaminant emission is odorous gas.
(o) Equipment for handling and drying grain on a farm.
(p) Commercial equipment used for grain unloading, handling, cleaning, storing, loading, or drying in a column dryer that has a column plate perforation of not more than 0.094 inch or a rack dryer in which exhaust gases pass through a screen filter no coarser than 50 mesh.
(q) Portable steam deicers that have a heat input of less than 1,000,000 Btu's per hour.
(r) Equipment used for any of the following metal treatment processes if the process emissions are only released into the general in-plant environment:
(i) Surface treatment.
(ii) Pickling.
(iii) Acid dipping.
(iv) Cleaning.
(v) Etching.
(vi) Electropolishing.
(vii) Electrolytic stripping or electrolytic plating.
(s) Emissions or airborne radioactive materials specifically authorized pursuant to a United States nuclear regulatory commission license.
(t) Equipment for the mining and screening of uncrushed native sand and gravel.
(u) Solvent distillation equipment that has a rated batch capacity of not more than 55 gallons.
(v) Any vapor vacuum extraction soil remediation process where vapor is treated in a control device and all of the vapor is reinjected into the soil such that there are no emissions to the atmosphere during normal operation.
(w) Air strippers controlled by an appropriately designed and operated carbon adsorption or incineration system that is used exclusively for the cleanup of gasoline, fuel oil, natural gas condensate, and crude oil spills.
(x) Any asbestos removal or stripping process or process equipment.
(y) Ozonization process or process equipment.

(z) Combustion of boiler cleaning solutions that were solely used for or intended for cleaning internal surfaces of boiler tubes and related steam and water cycle components if the solution burned is not designated, by listing or specified characteristic, as hazardous pursuant to federal regulations or state rules.
(aa) Landfills and associated flares and leachate collection and handling equipment.
(bb) A residential, municipal, commercial, or agricultural composting process or process equipment.
(cc) Gun shooting ranges controlled by appropriately designed and operated high-efficiency particulate filters.
(dd) Equipment for handling, conveying, cleaning, milling, mixing, cooking, drying, coating, and packaging grain-based food products and ingredients which meet any of the following:
(i) Equipment used on a nonproduction basis.
(ii) Equipment has emissions that are released only into the general in-plant environment.
(iii) Equipment has externally vented emissions controlled by an appropriately designed and operated particulate control system.
(ee) Open burning.
(ff) Fire extinguisher filling, testing, spraying, and repairing.
(gg) Equipment used for chipping, flaking, or hogging wood or wood residues that are not demolition waste materials.
(hh) A process that uses only hand-held aerosol spray cans, including the puncturing and disposing of the spray cans.
(ii) Fuel cells that use phosphoric acid, molten carbonate, proton exchange membrane, or solid oxide or equivalent technologies.
(jj) Any vacuum truck used at a remediation site as a remedial action method, if it is not used more than once per month at a site and the usage is not more than 2 consecutive days.
(kk) Air sparging systems where the sparged air is emitted back to the atmosphere only by natural diffusion through the contaminated medium and covering soil or other covering medium.
(ll) Air separation or fractionation equipment used to produce nitrogen, oxygen, or other atmospheric gases.

R 336.1287 Permit to install exemptions; surface coating equipment.
Rule 287. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:
(a) An adhesive coating line which has an application rate of less than 2 gallons per day and which has emissions that are released only into the general in-plant environment.
(b) A surface coating process that uses only hand-held aerosol spray cans, including the puncturing and disposing of the spray cans.
(c) A surface coating line if all of the following conditions are met:
(i) The coating use rate is not more than 200 gallons, as applied, minus water, per month.
(ii) Any exhaust system that serves only coating spray equipment is supplied with a properly installed and operating particulate control system.
(iii) Monthly coating use records are maintained on file for the most recent 2-year period and are made available to the air quality division upon request.
(d) A powder coating booth that has an appropriately designed and operated particulate control system and associated ovens.
(e) A silkscreen process.
(f) Replacement of waterwash control in a paint spray booth with dry filter control.
(g) Adding dry filters to paint spray booths.

(h) Replacement of a coating applicator system with a coating applicator system that has an equivalent or higher design transfer efficiency, unless the change is specifically prohibited by a permit condition.
(i) Equipment that is used for the application of a hot melt adhesive.
(j) Portable equipment that is used for on-site nonproduction painting.
(k) Mixing, blending, or metering operations associated with a surface coating line.

R 336.1289 Permit to install exemptions; asphalt and concrete production equipment.
Rule 289. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:
(a) A cold feed aggregate bin for asphalt and concrete production equipment.
(b) A liquid asphalt storage tank that is controlled by an appropriately designed and operated vapor condensation and recovery system or an equivalent control system.
(c) An asphalt concrete storage silo that has all its emissions vented back into the burning zone of the kiln or that has an equivalent control system.
(d) A concrete batch plant that meets all of the following requirements:
(i) The plant shall produce not more than 200,000 cubic yards per year.
(ii) The plant shall use either a fabric filter dust collector, a slurry mixer system, a drop chute, a mixer flap gate, or an enclosure for truck loading operations.
(iii) All cement handling operations, such as silo loading and cement weighing hoppers, shall either be enclosed by a building or equipped with a fabric filter dust control.
(iv) The owner or operator shall keep monthly records of the cubic yards of concrete produced.
(v) Before commencing operations, the owner or operator shall notify the appropriate air quality division district supervisor of the location where the concrete batch plant will be operating under this exemption.
(vi) The concrete batch plant shall be located not less than 250 feet from any residential or commercial establishment or place of public assembly unless all of the cement handling operations, excluding the cement silo storage and loading operations, are enclosed within at least a 3-sided structure.
(vii) The owner or operator shall implement the following fugitive dust plan:
(A) The drop distance at each transfer point shall be reduced to the minimum the equipment can achieve.
(B) On-site vehicles shall be loaded to prevent their contents from dropping, leaking, blowing, or otherwise escaping. This shall be accomplished by loading so that no part of the load shall come in contact within 6 inches of the top of any sideboard, side panel or tailgate. Otherwise, the truck shall be tarped.
(C) All of the following provisions apply for site roadways and the plant yard:
(1) The dust on the site roadways and the plant yard shall be controlled by applications of water, calcium chloride, or other acceptable and approved fugitive dust control compounds. Applications of dust suppressants shall be done as often as necessary to meet an opacity limit of 5%.
(2) All paved roadways and plant yards shall be swept as needed between applications.
(3) Any material spillage on roads shall be cleaned up immediately.
(4) A record of all applications of dust suppressants and roadway and plant yard sweepings shall be kept for the most recent 5-year period and be made available to the department upon request.
(D) All of the following provisions apply for storage piles:
(1) Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.
(2) Stockpiles shall be watered on an as needed basis in order to meet an opacity limit of 5%. Equipment to apply water or dust suppressant shall be available at the site or on call for use at the site within a given operating day.

(3) A record of all watering shall be kept on file for the most recent 5-year period and be made available to the department upon request.
(E) The provisions and procedures of this fugitive dust plan are subject to adjustment by written notification from the department if, following an inspection, the department determines the fugitive dust requirements or permitted opacity limits are not being met.

R 336.1299 Adoption of standards by reference.
Rule 299. The following standards are adopted in these rules by reference and are available as noted:
(a) "1996 TLVs and BEIs. Threshold Limit Values for Chemical Substances and Physical Agents. Biological Exposure Indices," American conference of governmental industrial hygienists. For the purposes of R 336.1232, the chemical names and threshold limit values are adopted by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $11.00, or from the American Conference of Governmental Industrial Hygienists, 6500 Glenway Avenue, Building D-7, Cincinnati, Ohio 45211-4438, at a cost as of the time of adoption of these rules of $11.00.
(b) "NIOSH Pocket Guide to Chemical Hazards," national institute for occupational safety and health, June 1994. For the purposes of R 336.1232, the chemical names and NIOSH-recommended exposure levels are adopted by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $14.00, or from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, NTIS document PB95-100368, at a cost as of the time of adoption of these rules of $14.00.
(c) "Guidelines for Carcinogen Risk Assessment," 1986, United States environmental protection agency, 51 F.R. pp. 33992 to 34003. Copies may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at no cost, or from CERI, Office of Resource Information, United States Environmental Protection Agency, 26 Martin Luther King Drive, Cincinnati, Ohio 45268, EPA document no. EPA 600/8-87/045, at no cost.
(d) The federal acid rain program. The department adopts by reference in these rules the provisions of 40 C.F.R. §§72.1 to 72.96 (2002), 40 C.F.R. §§74.1 to 74.61 (2002), and 40 C.F.R. §§76.1 to 76.15 (2002). When used in these federal regulations, the term "permitting authority" shall mean the department and the term "administrator" shall mean the administrator of the United States environmental protection agency. If the provisions or requirements of 40 C.F.R. §§72.1 to 72.96, 40 C.F.R. §§74.1 TO 74.61, OR 40 C.F.R. §§76.1 TO 76.15 conflict with, or are not included in, R 336.1210 to R 336.1218, then the 40 C.F.R. §§72.1 to 72.96 AND 40 C.F.R. §§76.1 TO 76.15 provisions and requirements shall apply and take precedence. A copy of these regulations may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R., parts 72-80, may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $59.00; from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of $59.00; or on the United States government printing office internet web site at http://www.gpo.gov.
(e) The federal hazardous air pollutant regulations governing constructed or reconstructed major sources. The department adopts by reference in these rules the provisions of 40 C.F.R. §§63.40 to 63.44 (2002) and 63.50 to 63.56 (2002). When used in these federal regulations, the term “permitting authority” shall mean the department and the term “administrator” shall mean the administrator of the

United States environmental protection agency. A copy of these regulations may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of these regulations may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $56.00, or from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of $56.00, or on the United States government printing office internet web site at http://www.gpo.gov.

(f) The federal compliance assurance monitoring regulations. The department adopts by reference in these rules the provisions of 40 C.F.R. §§64.1 to 64.10 (2002). When used in these federal regulations, the term "permitting authority" shall mean the department, and the term "administrator" shall mean the administrator of the United States environmental protection agency. A copy of these regulations may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R., parts 64-71, may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of $29.00; from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of $29.00; or on the United States government printing office internet web site at http://www.gpo.gov.

PROPOSED ADMINISTRATIVE RULES, NOTICES OF PUBLIC HEARINGS

MCL 24.242(3) states in part:

"... the agency shall submit a copy of the notice of public hearing to the office of regulatory reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the office of regulatory reform."

MCL 24.208 states in part:

"Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules."

PROPOSED ADMINISTRATIVE RULES

ORR # 2000-014

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

ELEVATORS

Filed with the Secretary of State on
These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the elevator safety board by section 3 of 1976 PA 333, and section 8 of 1967 PA 227, and sections 7, 9, and 387 of 1965 PA 380, and Executive Reorganization Order No. 1996-2, MCL 338.2153, 408.808, 16.107, 16.109, 16.487, and 445.2001)

R 408.7001, R 408.7002, R 408.7003, R 408.7004, R 408.7005, R 408.7006, R 408.7007, R 408.7008, R 408.7009, R 408.7010, R 408.7011, R 408.7012, R 408.7013, R 408.7014, R 408.7015, R 408.7016, R 408.7017, R 408.7018, R 408.7019, R 408.7020, R 408.7021, R 408.7022, R 408.7023, R 408.7024, R 408.7025, R 408.7026, R 408.7027, R 408.7028, R 408.7029, R 408.7030, R 408.7031, R 408.7032, R 408.7033, R 408.7034, R 408.7035, R 408.7036, R 408.7037, R 408.7038, R 408.7039, R 408.7040, R 408.7041, R 408.7042, R 408.7043, R 408.7044, R 408.7045, R 408.7046, R 408.7047, R 408.7048, R 408.7049, R 408.7050, R 408.7051, R 408.7052, R 408.7053, R 408.7054, R 408.7055, R 408.7056, R 408.7057, R 408.7058, R 408.7059, R 408.7060, R 408.7061, R 408.7062, R 408.7063, R 408.7064, R 408.7065, R 408.7066, R 408.7067, R 408.7068, R 408.7069, R 408.7070, R 408.7071, R 408.7072, R 408.7073, R 408.7074, R 408.7075, R 408.7076, R 408.7077, R 408.7078, R 408.7079, R 408.7080, R 408.7081, R 408.7082, R 408.7083, R 408.7084, R 408.7085, R 408.7086, R 408.7087, R 408.7088, R 408.7089, R 408.7090, R 408.7091, R 408.7092, R 408.7093, R 408.7094, R 408.7095, R 408.7096, R 408.7097, R 408.7098, R 408.7099, R 408.7100, R 408.7101, R 408.7102, are added to the code and R 408.8101, R 408.8103, R 408.8108, R 408.8111, R 408.8121, R 408.8122, R 408.8123, R 408.8124, R 408.8131, R 408.8132, R 408.8133, R 408.8134, R 408.8135, R 408.8136, R 408.8137, R 408.8138, R 408.8139, R 408.8141, R 408.8145, R 408.8149, R 408.8150, R 408.8151, R 408.8152, R 408.8153, R 408.8161, R 408.8171, R 408.8201, R 408.8202, R 408.8203, R 408.8205, R 408.8206, R 408.8211, R 408.8212, R 408.8213, R 408.8214, R 408.8215, R 408.8216, R 408.8217, R 408.8218, R 408.8219, R 408.8220, R 408.8221, R 408.8222, R 408.8223, R 408.8224, R 408.8225, R 408.8226, R 408.8227, R 408.8228, R 408.8229, R 408.8230, R 408.8231, R 408.8232, R 408.8233, R 408.8234, R 408.8235, R 408.8236, R 408.8237, R 408.8238, R 408.8241, R 408.8242, R 408.8243, R 408.8244, R 408.8245, R 408.8246, R 408.8247, R 408.8248, R 408.8249, R 408.8250, R 408.8251, R 408.8252, R 408.8253, R 408.8254, R 408.8255, R 408.8256, R 408.8257, R 408.8258, R 408.8259, R 408.8260, R 408.8261, R 408.8262, R 408.8263, R 408.8264, R 408.8265, R 408.8266, R 408.8267, R 408.8268, R 408.8269, R 408.8270, R 408.8271, R 408.8281, R 408.8282, R 408.8283, R 408.8284, R 408.8285, R 408.8286, R 408.8287, R 408.8288, R 408.8289, R 408.8290, R 408.8291, R 408.8292, R 408.8293, R 408.8294, R 408.8295, R 408.8296, R 408.8301, R 408.8302, R 408.8303, R 408.8304, R 408.8305, R 408.8306, R 408.8307, R 408.8308, R 408.8309, R 408.8310, R 408.8311, R 408.8312, R 408.8313, R 408.8321, R 408.8322, R 408.8323, R 408.8324, R 408.8325, R 408.8326, R 408.8327, R 408.8328, R 408.8329, R

408.8341, R 408.8361, R 408.8362, R 408.8363, R 408.8364, R 408.8365, R 408.8401, R 408.8403, R 408.8411, R 408.8415, R 408.8421, R 408.8422, R 408.8423, R 408.8424, R 408.8425, R 408.8426, R 408.8427, R 408.8428, R 408.8429, R 408.8430, R 408.8431, R 408.8432, R 408.8433, R 408.8434, R 408.8435, R 408.8436, R 408.8437, R 408.8438, R 408.8439, R 408.8440, R 408.8441, R 408.8451, R 408.8452, R 408.8453, R 408.8454, R 408.8455, R 408.8456, R 408.8457, R 408.8458, R 408.8459, R 408.8460, R 408.8461, R 408.8462, R 408.8463, R 408.8464, R 408.8465, R 408.8466, R 408.8467, R 408.8468, R 408.8469, R 408.8470, R 408.8471, R 408.8472, R 408.8473, R 408.8474, R 408.8475, R 408.8476, R 408.8477, R 408.8478, R 408.8481, R 408.8483, R 408.8511, R 408.8512, R 408.8513, R 408.8514, R 408.8515, R 408.8516, R 408.8517, R 408.8518, R 408.8519a, R 408.8520, R 408.8523a, R 408.8524, R 408.8525, R 408.8531, R 408.8532, R 408.8533, R 408.8534, R 408.8535, R 408.8536, R 408.8536a, R 408.8537a, R 408.8538, R 408.8539, R 408.8540, R 408.8540a, R 408.8540b, R 408.8540c, R 408.8541, R 408.8542, R 408.8543, R 408.8544, R 408.8545, R 408.8546, R 408.8547, R 408.8548, R 408.8549, R 408.8550, R 408.8551, R 408.8552, R 408.8553, R 408.8554, R 408.8555, R 408.8556, R 408.8561, R 408.8562, R 408.8563, R 408.8571, R 408.8572, R 408.8573, R 408.8574, R 408.8575, R 408.8576, R 408.8577, R 408.8578, R 408.8579, R 408.8580, R 408.8581, R 408.8582, R 408.8583, R 408.8585, R 408.8587, R 408.8588, R 408.8589, R 408.8590, R 408.8591, R 408.8592, R 408.8595, R 408.8596, R 408.8601, R 408.8611, R 408.8613, R 408.8614, R 408.8615, R 408.8617, R 408.8618, R 408.8619, R 408.8620, R 408.8621, R 408.8631, R 408.8632a, R 408.8634, R 408.8636a, R 408.8638, R 408.8639, R 408.8639b, R 408.8641, R 408.8642, R 408.8643, R 408.8644, R 408.8648, R 408.8661, R 408.8662, R 408.8664, R 408.8671, R 408.8681, R 408.8682, R 408.8683, R 408.8690, R 408.8691, R 408.8691a, R 408.8691b, R 408.8692, R 408.8693, R 408.8694, and R 408.8695, of the Code are rescinded as follows:

CHAPTER 1. GENERAL PROVISIONS

R 408.7001 Scope.
Rule 1. These rules establish administrative and operational procedures for implementation of the elevator safety act of 1967. The rules establish, for protection of the general public, minimum safety requirements for inspection, construction, installation, alteration, maintenance, repair, and operation of elevators.

R 408.7002 Definitions.
Rule 2. (1) As used in these rules:
(a) "Act" means 1967 PA 227, MCL 408.801 et seq. and known as the elevator safety board act.
(b) "Belt manlift" means a power-driven endless belt which has steps and handholds and which is used to transport persons in a vertical direction through successive floors or levels of a building or structure.
(c) "Department" means the department of consumer and industry services.
(d) "Electrical-powered, 1-man elevator" means an elevator that has a car platform area of not more than 5 square feet, a rated load of not more than 300 pounds, and a rated speed of not more than 100 feet per minute. It is for the exclusive use of certain designated operating and maintenance employees and is installed in any of the following structures:
(i) A grain or feed mill.
(ii) A chemical or alcohol distillery.
(iii) A cement storage tower.
(iv) A radio tower.
(v) A similar structure that is not accessible to the general public.

(e) "Examination" means a survey of the design and construction of elevators or elevator equipment by a dealer in elevators or elevator equipment or an approved insurance company.
(f) "Hand-powered, 1-man elevator" means an elevator which has a car platform area of not more than 5 square feet, which has a rated load of not more than 300 pounds, and which is operated from the car only by pulling on a stationary rope that is located in the hoistway and passing through or adjacent to the car platform. The elevator is for the exclusive use of certain designated operating and maintenance employees and is installed in a grain or feed mill or a similar structure that is not accessible to the general public.
(g) "Inspection" means the official determination by a general inspector of the condition of all parts of equipment on which the safe operation of an elevator depends.
(h) "Private residence" means any elevating device installed in or at a private residence or installed in a building as a means of access to a private residence within such building, provided the elevator is installed so that it is not accessible to the general public or to other occupants in the building. The use is restricted to the owner and the owner's immediate family and nonpaying guests. All other elevating device installations shall be classified as commercial.
(i) "Special elevating device" includes other lifting or lowering apparatus which is guided as provided in section 3 of the act.
(j) "Temporary inspection" means the inspection of a permanent elevator that is to be used on a temporary basis.
(2) Terms defined in the act have the same meanings when used in these rules.

R 408.7003 Applicability of national standards.
Rule 3. (1) The standards contained in the American society of mechanical engineers (ASME) safety code for elevators and escalators, ASME A17.1-2000, and the safety code standard for platform lifts and stairway chairlifts, ASME A18.1-1999 and ASME A18.1A-2001 addenda, hereinafter referred to as "code," are adopted in these rules by reference as rules for elevators in this state, except as set forth in subrule (2) of this rule. The codes are adopted by reference in these rules and are available for inspection at the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, or from the American Society of Mechanical Engineers, 22 Law Drive, Box 2900, Fairfield, New Jersey 07007-2900, at a cost as of the time of adoption of these amendatory rules of $175.00 and $54.00 respectively. All references to NFPA 70 mean the Michigan Electrical Code. The Michigan Electrical Code is available for inspection or may be purchased from the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, at a cost as of the time of adoption of these amendatory rules of $53.00 each.
(2) The following sections of the ASME A17.1-2000 code are not adopted in these rules: 2.5.1.5.3, 2.8.2.3.2, 2.11.1.3, 2.11.1.4, 2.11.7.2, 2.14.2.2(f), 2.14.2.6, 2.14.5.8.2, 2.16.5.1.3, 2.22.2, 2.26.1.5, 2.26.4.2, 3.19.5.2, 5.3.1.1.1, 5.3.1.1.2, 5.3.1.1.3, 5.3.1.1.4, 5.3.1.2.1, 5.3.1.14.3, 5.4.10.2, 8.6.5.8, 8.6.10.4, 8.10.1.1.3, 8.11.1.1, 8.11.1.1.1, 8.11.1.1.2. The following sections of the ASME A18.1-2001 code are not adopted in these rules: 2.1.2, 2.1.3, 2.10.2, 3.10.2, 10.1.1, 10.1.2, 10.1.3.3, 10.2.1.

R 408.7004 Registration of elevators.
Rule 4. An elevator shall be registered by the owner or user stating the location, type, capacity, name of manufacturer, and purpose for which it is used. This registration shall be made on a form furnished by the department.

R 408.7005 Identification plates and tags.
Rule 5. (1) The holder of a certificate of operation shall permanently attach to the elevator in an approved area an identification plate showing the rated load and the serial number of each elevator.
(2) One serial number tag shall be furnished and shall be permanently attached to the elevator machine controller.
(3) Identification plates and tags shall be furnished by the department and remain the property of the department.

R 408.7006 Accident reports.
Rule 6. The holder of a certificate of operation shall notify the department within 48 hours of every accident involving personal injury or damage to the elevator. The department may investigate all such accidents.

R 408.7007 Responsibility for elevator operation and maintenance.
Rule 7. (1) Responsibility for the operation and maintenance of elevators shall be as follows:
(a) The person, firm, or corporation installing, repairing, relocating, or altering an elevator shall be responsible for its operation and maintenance until the certificate of operation is issued, except as provided for in R 408.7012 of these rules and shall be responsible for all tests of new, repaired, relocated, and altered equipment until the certificate of operation is issued.
(b) The holder of a certificate of operation or duly appointed agent shall be responsible for the safe operation and proper maintenance of the elevator. The holder of the certificate of operation shall be responsible for all periodic inspections and tests, securing the renewal of the certificate of operation, and the compliance with correction orders.
(c) The licensed contractor holding a temporary certificate of operation shall be responsible for the safe operation and maintenance of the elevator during the period that the temporary certificate is in force.
(2) Safety tests shall be performed by personnel approved by the department.

R 408.7008 Commissions of special elevator inspectors.
Rule 8. (1) A commission to inspect elevators in accordance with section 11 of the act may be issued by the director to a designated holder of a special certificate of competency when the fee has been paid and a written request is received from a company authorized to insure elevators in this state. Such a commission shall not be transferable. The commission shall be retained by the company and a commission credential card shall be issued to the special inspector. The commission and commission credential card shall be returned when services of the inspector terminate.
(2) A commission shall expire annually on December 31. A commission may be renewed by payment of a renewal fee and return of the expired card and commission renewal form.

R 408.7009 Examinations by elevator and equipment dealers and insurance companies.
Rule 9. Nothing in the act shall prevent the examination of elevators by dealers in elevators or elevator equipment or any approved insurance company. Such examination shall not be considered an inspection within the provisions of the act.

R 408.7010 New, altered, or relocated elevators; use.

Rule 10. A new, altered, or relocated elevator shall not be placed into service until it has been inspected by, and tested in the presence of, a general inspector, except as provided in section 15 of the act.

R 408.7011 Frequency of inspections.
Rule 11. All elevators shall be inspected by a general elevator inspector pursuant to the following schedule:
(a) Passenger, freight, mine, inclined, limited-use/limited application, special purpose personnel, and rooftop elevators, material lifts, barrier free lifting devices, escalators, moving walks, belt manlifts, and special elevating devices shall be inspected at least once every 12 months.
(b) Dumbwaiters, stairway chairlifts, 1-person elevators, hand-powered; 1-person elevators, electric-powered; platform lifts; and power sidewalk elevators shall be inspected at least once every 24 months.
(c) Personnel hoists shall be inspected at least once every 30 days.
(d) Elevating devices in private residences shall be inspected only at the discretion of the department or owner.
(e) More frequent inspections may be scheduled at the discretion of the department or owner.

R 408.7012 Temporary use of permanent elevators during construction.
Rule 12. (1) A licensed elevator contractor may request a temporary certificate of operation to permit the use of a passenger or freight elevator before its completion for carrying workers, authorized personnel, or materials. Such elevator shall not be used until it has been approved by a general inspector, the required fee has been paid, and a temporary certificate of operation has been obtained. Such certificate shall be issued for a period not to exceed 90 days. Renewals may be granted at the discretion of the department.
(2) Permanent elevators used temporarily during construction shall be inspected every 30 days.

R 408.7013 Discontinuance of operation.
Rule 13. A general inspector may seal an elevator out of service and void the certificate of operation as provided in section 19 of the act or if any of the following conditions exist:
(a) The holder of the certificate of operation fails to pay the required fee.
(b) The holder of the certificate of operation fails to report an accident as required by these rules.
(c) The elevator has been constructed, installed, altered, maintained, or repaired by a person, firm, or corporation not approved by the department.

R 408.7014 Inspection reports and certificates of operation.
Rule 14. (1) A general inspector shall forward to the department a report of each inspection stating the condition of the elevator. The inspection report shall be filed with the department within 10 days after the inspection has been completed.
(2) A report indicating an elevator has been sealed out of service shall be forwarded to the department within 48 hours.
(3) The director shall issue a certificate of operation for a capacity not to exceed that named in the inspection report.

R 408.7015 Correction orders.

Rule 15. (1) If upon inspection an elevator is determined to be in an unsafe condition, or if the owner or user has not complied with these rules, then the general inspector shall issue to the holder of the certificate of operation a written correction order stating corrections required and a time limit within which the correction order shall be complied with by the owner or user. The owner or user shall notify the department in writing as soon as full compliance is effected. Notification shall be on forms furnished by the department.
(2) If in the judgment of the general inspector, failure to make such corrections would endanger human life, then compliance with the correction order may be required immediately.
(3) Noncompliance with the correction order may subject the holder of the certificate of operation to the penalty provisions of the act.

R 408.7016 Special elevating devices.
Rule 16. (1) Special elevating devices within the scope of the act shall meet the requirements established by the department and the rules promulgated by the board.
(2) The devices specified in subrule (1) of this rule shall receive special consideration from the department as to the safety features incorporated into them before they may be approved for installation. A permit to install a special elevating device shall be obtained from the department in accordance with section 15 of the act.
(3) Stagelifts are special elevating devices and shall meet the requirements of this rule.

R 408.7017 Examination for license or certificate of competency; journeyperson.
Rule 17. The board may delegate to the elevator division the authority to administer the written or oral examinations, or both, required for a journeyperson's license. The minimum passing grade for an applicant for a license or a certificate of competency shall be 70%. An applicant who fails to attain the minimum passing grade is not eligible for reexamination for 60 days after the examination, except as otherwise required by the act or by special permission of the board. A new application form and payment of the prescribed fee is required each time an applicant is examined.

R 408.7018 Elevator contractors' and journeypersons' licenses; type classification.
Rule 18. (1) Elevator contractors' licenses and elevator journeypersons' licenses are classified as follows:
(a) Type A, which covers the construction, repair, installation, alteration, and maintenance of any type of elevating device within the scope of the act.
(b) Type B, which covers the repair and maintenance of any type of elevating device within the scope of the act.
(c) Type C, which covers specific installations designed for particular and special purposes for which the applicant proves that he or she is qualified.
(2) More than 1 type of device may be combined or added to 1 Class C elevator contractor's license if the applicant has passed a written examination for each type of device.

R 408.7019 Fees.
Rule 19. (1) Fees shall be paid in accordance with the following schedule:

Commissions to inspect elevators
Commission $25.00.

Commission renewal	**$25.00.**
Examination for certificates of competency	
Certificate of competency examination	**$35.00.**
Elevator contractor's licenses	
Elevator contractor's license and renewal	**$75.00.**
Elevator contractor's examination	**$45.00.**
Elevator journeyperson license and renewal	**$20.00.**
Elevator journeyperson examination	**$25.00.**
Installation permits	
Base permit fee for each of the following devices:	**$200.00.**
Passenger elevator	
Freight elevator	
Mine elevator	
Inclined elevator	
Limited-use/limited application elevator	
Private residence elevator	
Special purpose personnel elevator	
Dumbwaiter	
Material lift	
Plus $25.00 for each hoistway opening	
Escalator	**$200.00.**
Moving walk	**$200.00.**
Power sidewalk elevator	**$200.00.**
Rooftop elevator	**$200.00.**
Personnel hoist, initial inspection	**$350.00.**
Personnel hoist tower rise	**$150.00.**
Belt manlift	**175.00.**
Special elevating device	**$200.00.**
Barrier free lifting device	**$200.00.**
Private residence platform lift and private residence stairway chairlift	**$75.00.**
Platform lift and stairway chairlift in buildings other than private residence	**$100.00.**
Private residence outdoor inclined lift	**$75.00.**
Outdoor inclined lift at buildings other than private residence	**$100.00.**

A final inspection fee is included in the installation permit fee. If a scheduled final inspection is canceled without due notice to the department, or if the elevator is not complete in the judgment of the general inspector, then an additional fee of $300.00 shall be charged to the elevator contractor.

Major alteration permits	
First alteration (including 1 final inspection)	**$110.00.**
Each additional alteration	**$45.00.**

Maximum alteration fee	**$280.00.**
Certificate of operation	
Annual certificate of operation	**$35.00.**
Temporary certificate of operation	**$140.00.**
Inspection by general inspector	
Inspection	**$110.00.**
Follow-up	**$110.00.**

Special services
The department may provide, upon written request, special services that are not otherwise covered in the fee structure. The charge for this service shall be at the rate of $50.00 per hour including travel time.
(2) Fees that are required pursuant to the provisions of the act shall be paid to the department. Checks or money orders shall be made payable to the "State of Michigan."

R 408.7020 Supervising employees.
Rule 20. (1) If a contractor's license is based on the qualification of a supervising employee, then termination of employment of a supervising employee shall result in the suspension of the license 90 days after termination of employment and the license shall remain suspended until another supervising employee is certified for the employer by the board. The supervising employee and the employer shall each notify the department in writing when the termination of the employment of the former occurs.
(2) A person serving as supervising employee of a contractor may not concurrently serve as supervising employee of another contractor. A supervising employee shall be employed on a full-time basis by the contractor.

R 408.7021 Renewal of contractor's licenses and commissions.
Rule 21. A contractor's license and a commission which has expired may be renewed within 60 days after the date of expiration without examination upon payment of the required renewal fee. A contractor's license and a commission which is not so renewed is considered revoked.

R 408.7022 Violations; penalties.
Rule 22. Any person, firm, or corporation who shall refuse to comply with, or who shall assist in the violation of, any of the provisions of these rules, or who, in any manner hinders, obstructs, resists, prevents, causes unreasonable delay, or in any manner interferes with the inspectors in the performance of any duty herein imposed, or shall refuse to permit such inspectors to perform their duty by refusing them entrance at reasonable hours to buildings or places for the purpose of enforcement of these rules, shall be subject to the fines and penalties as provided by the act.

R 408.7023 Appeals to the board.
Rule 23. (1) Any person, firm, or corporation aggrieved by any decision, ruling, or order of the director or of the department may appeal within 15 days from date of mailing of the decision, ruling, or order to the board, for a hearing before the board in accordance with section 8(d) of the act. An appeal shall specify the reasons and the relief sought and shall be submitted to the director for presentation to the board.

(2) A fee of $25.00 shall be deposited with the department at the time the appeal is filed. Payment shall be by cash, money order, or certified check made payable to "Treasurer—State of Michigan."
(3) The board shall set a time for hearing of the appeal and give notice by mail to the appellant at least 10 days before the date set for hearing.
(4) A request for an adjournment shall be filed in writing at least 5 days before the date set for hearing. The board, or the director, may for good cause shown grant an adjournment.
(5) If the appellant fails to appear at the time set for hearing, the board may proceed with the hearing and decide the case in the absence of the appellant. The board may affirm, modify, or set aside the ruling of the department and shall notify the director and the appellant in writing of its decision. The department shall refund the appeal fee if a decision is rendered in favor of the appellant.

R 408.7024 Applicability of rules and manual.
Rule 24. Elevators as defined in section 3 of the act installed before the effective date of this code edition shall comply with the Michigan elevator laws and rules in effect at the time of adoption of this code until the device is altered. All other approved existing features or components of the elevator shall comply with these rules and shall be maintained as described in the American society of mechanical engineers (ASME) guide for inspection of elevators, escalators, and moving walks ASME A17.2-2001, which is adopted in these rules by reference and is available for inspection at the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes, and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, or from the American Society of Mechanical Engineers, 22 Law Drive, Box 2900, Fairfield, New Jersey 07007-2900, at a cost as of the time of adoption of these amendatory rules of $110.00 each.

R 408.7025 Service and examination of power elevators; frequency; exception.
Rule 25. A power elevator, except a private residence elevator, private residence inclined elevator, private residence platform lift, or private residence stairway chairlift, shall be serviced and examined for defects by a licensed elevator journeyperson at least once every 90 days, except for the following devices which shall be serviced and examined at least once every 180 days:
(a) Dumbwaiters.
(b) One-person elevators, electric and hand-powered.
(c) Platform lifts and stairway chairlifts in buildings other than private residences.
An accessible written record of all service and examination shall be maintained in the machine room or on-site if a machine room does not exist.

CHAPTER 2. ALL ELEVATORS

R 408.7026 Disconnecting means for new and altered elevators.
Rule 26. The disconnecting means for all elevators and escalators that have 208 volts alternating current (VAC) nominal, 3-phase, shall be a heavy-duty type means and feature a dual cover interlock or a circuit breaker capable of being locked in the open position.

R 408.7027 Elevators operated from car only.
Rule 27. All existing or new elevators operated from the car only shall be provided with an approved means of opening the landing door, from the landing side, when the car is in the unlocking zone.

R 408.7028 Buffers and bumpers.
Rule 28. Buffers of the spring, oil, or equivalent type shall be installed under cars and counterweights of all elevators. Bumpers or solid stops are prohibited.

R 408.7029 Dormant elevators.
Rule 29. (1) An elevator, escalator or moving walk which is inactive for 1 year shall be classified as dormant and placed out of service in compliance with section 8.11.1.4(b) of the ASME A17.1 code.
(2) A platform lift or stairway chairlift which is inactive for 1 year shall be classified as dormant and placed out of service as follows:
(a) The device shall be lowered and any suspension means removed.
(b) The power feed lines shall be disconnected from the machine disconnect switch and taped in compliance with section 10.1.5 of the ASME A18.1 code.
(c) All landing entrances shall be secured in a closed position from inside the runway or hoistway.
(d) Folding type devices shall be secured against movement.
(3) Before a dormant elevating device may be placed in service, it shall be inspected by the department and shall conform to these rules and the applicable section of the standard.

R 408.7030 Elevator and escalator monitoring
Rule 30. All elevators and escalators may be monitored from a remote location. Monitoring shall consist of passing information from the elevator control to a remote location for the collection of information. A device shall not have the capability to adjust, alter, change or reset any switch, parameter, or system of the elevator control from any location except the corresponding car, hoistway, or machine room. The device shall not be capable of bypassing or resetting any safety or electrical protective device. Information collected shall be made available to the department upon request.

CHAPTER 3. ASME A17.1 MODIFICATIONS

R 408.7031 Non-fire-resistive construction.
Rule 31. Section 2.1.1.2.2 of the ASME A17.1 code is amended to read as follows:
2.1.1.2.2 The hoistway shall be fully enclosed conforming to section 2.1.1.2.2(a), (b), and (c), or 2.1.1.2.2(a) and (d) of the ASME A17.1 code.
(1) Enclosures and doors shall be unperforated to a height of 2000 mm (79 inches) above each floor or landing and above the treads of adjacent stairways. The enclosure shall be unperforated, adjacent to, and for 150 mm (6 inches) on either side of any moving equipment that is within 100 mm (4 inches) of the enclosure.
(2) Openwork enclosures, where used above the 2000 mm (79 inches) level, shall reject a ball 25 mm (1 inch) in diameter.
(3) Openwork enclosures shall be:
(a) At least 2.2 mm (0.087 inch) thick wire, if of steel wire grille.
(b) At least 2.2 mm (0.087 inch) thick, if of expanded metal.
(c) So supported and braced as to deflect not over 15 mm (0.6 inch) when subjected to a force of 450 N (100 lbf) applied horizontally at any point.
(3) Enclosures may be glass, provided they are laminated glass in compliance with the Michigan building code, R 408.30401 et seq., or CAN/CGSB-12.1, which is adopted by reference in these rules. The standard is available for inspection at the Michigan Department of Consumer and

Industry Services, Bureau of Construction Codes and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, or from the Canadian General Standards Board, Sales Center, Place Du Portage, Phase III Floor 6B1, 11 Laurie Street, Hull, Quebec K1A1G6, at a Canadian cost as of the time of adoption of these amendatory rules of $50.40. Markings as specified in the applicable standard shall be on each separate piece of glass and shall remain visible after installation.
Glass used for the protection of a hoistway shall provide protection to a minimum height of 8 feet above floor or landing.

R 408.7032 Drains and sump pumps.
Rule 32. Section 2.2.2.4 of the ASME A17.1 code is amended to read as follows:
2.2.2.4 Drains and sump pumps, where provided, shall comply with the Michigan plumbing code, R 408.40701 et seq. and shall be provided with a positive means to prevent water, gases, and odors from entering the hoistway. Subsoil drains shall not be connected or discharged to elevator pits or sumps.

R 408.7033 Enclosure of machine rooms and machinery spaces.
Rule 33. Section 2.7.1 of the ASME A17.1 code is amended to read as follows:
2.7.1 Machines, control equipment, sheaves, and other machinery shall not be exposed to the weather. Machine room and machinery-space enclosures shall conform to section 2.7.1.1 or 2.7.1.2 of the ASME A17.1 code.
Access to these spaces shall not be through restrooms, lavatories, locker rooms, or associated vestibules. Where enclosed ceilings are required or provided they shall be of a solid type with no access panels. Drop type ceilings shall not be permitted. Machine rooms and machinery spaces shall not be used as a pass through or for access to other areas. Building access panels or doors are prohibited in these areas.

R 408.7034 Sprinkler systems.
Rule 34. Section 2.8.2.3 of the ASME A17.1 code is amended to read as follows:
2.8.2.3 Sprinkler systems conforming to the Michigan building code, R 408.30401 et seq., may be installed in the hoistway, machine room, and machinery spaces. Sprinklers installed in elevator shafts and machine rooms shall meet the following requirements:
(1) In hoistways a side wall spray sprinkler shall be installed at the bottom of each hoistway, not more than 24 inches and not less than 12 inches above the floor of the pit. A guard shall be installed on the sprinkler head to prevent accidental tripping or activation.
(2) In elevator machine rooms automatic sprinklers of ordinary or intermediate temperature rating shall be provided.
Each system shall have a readily accessible shut-off valve, that is electronically supervised, located outside the protected area. Sprinkler systems are also subject to the requirements of sections 2.8.2.3.1 through 2.8.2.3.4 of the ASME A17.1 code.

R 408.7035 Reopening device for power-operated car doors or gates.
Rule 35. Section 2.13.5.1 of the ASME A17.1 code is amended to read as follows:
2.13.5.1 Where required by section 2.13.3.4 or 2.13.4 of the ASME A17.1 code, a power-operated car door shall be provided with a reopening device that will function to stop and reopen a car door and the adjacent landing door sufficiently to permit passenger transfer if the car door or gate is obstructed while closing. The reopening device used shall be effective for substantially the full vertical opening of the door in compliance with section 2.13.4.2 of the ASME A17.1 code.

The door reopening device shall remain in operation at all times when the elevator is operating on normal service. Any devices which are designed to bypass the door opening device when the door is open for a predetermined amount of time (nudging) shall not be installed. This does not include operation under fire and other emergency conditions.

R 408.7036 Illumination and outlets required, light fuses and circuit breakers, installation.
Rule 36. Section 2.14.7.1 of the ASME A17.1 code is amended to read as follows:
2.14.7.1 Cars shall be provided with an electric light or lights conforming to sections 2.14.7.1.1 through 2.14.7.1.4 of the ASME A17.1 code. The fuses or circuit breakers for elevator car lights shall be installed in the machine room.

R 408.7037 Overloading of freight elevators.
Rule 37. Section 2.16.6 of the ASME A17.1 code is amended to read as follows:
2.16.6 Freight elevators shall not be loaded in excess of their rated load as specified on the capacity plate required by section 2.16.3 of the ASME A17.1 code.
Exceptions:
(a) Static loads on elevators loaded and unloaded by industrial trucks as noted on capacity or separate plate shall comply with sections 2.16.2.2.3 and 2.16.3.2.1(b) of the ASME A17.1 code.
(b) Elevators designed and installed in compliance with section 2.16.7 of the ASME A17.1 code to carry 1-piece loads exceeding their rated load.
If the department determines that safe operation requires it, a load-weighing device shall be installed. The load weighing device shall prevent operation of the elevator in the down direction only when the load on the platform is in excess of 125% of the rated load as determined by the requirements of section 2.16.3 of the ASME A17.1 code. Such devices shall prevent operation of the elevator in the up direction when the load on the car is in excess of the rated load.

R 408.7038 Two-way communication.
Rule 38. Section 2.27.1.1.2 of the ASME A17.1 code is amended to read as follows:
2.27.1.1.2 A means of two-way conversation (telephone, intercom, and others) shall be provided between the car and a readily accessible point outside the hoistway that is available to emergency personnel.

R 408.7039 Fire alarm initiating devices.
Rule 39. Section 2.27.3.2.1 of the ASME A17.1 code is amended to read as follows:
2.27.3.2.1 Fire alarm initiating devices shall be installed in compliance with the requirements of the Michigan electrical code, R 408.30801 et seq., in all of the following locations:
(a) Each floor served by the elevator.
(b) The associated elevator machine room.
(c) The elevator hoistway, when required.
The fire alarm initiating devices required by section 2.27 of the ASME A17.1 code shall be installed as a stand-alone system. The initiating devices shall be installed so that only the elevator or group of elevators which are affected by the emergency shall be captured. No electrical connection shall be permitted between the stand-alone system and any other initiating device or fire alarm system. These initiating devices are part of the elevator control system and shall be installed by a licensed elevator journeyperson or under the direct supervision of a licensed elevator journeyperson.

Exception: A dry contact may be made available in the elevator controller to be connected to the building fire alarm system for supervision of the elevator stand-alone system. The dry contact shall be located such that any malfunction of either system will not sacrifice the integrity of the other system.

R 408.7040 Machine room entrance; location.
Rule 40. Section 3.7.1 of the ASME A17.1 code is amended to read as follows:
3.7.1 Hydraulic elevator machine and control rooms may be located overhead, adjacent to, underneath the hoistway, or at a remote location. They shall not be located in the hoistway. The entrance to the machine room shall be not more than 25 feet, walking, from a hoistway door.
If hydraulic machines and electrical control equipment are located in spaces separated from the hoistway enclosure in compliance with section 2.1.1 of the ASME A17.1 code, then such spaces shall be separated from other parts of the building by enclosures conforming to section 2.7.1.2 of the ASME A17.1 code and having an access door conforming to section 2.7.3.4 of the ASME A17.1 code.

R 408.7041 Car safeties.
Rule 41. Section 3.17.1 of the ASME A17.1 code is amended to read as follows:
3.17.1 Car safeties shall be provided for roped-hydraulic elevators and shall be permitted to be provided for direct-acting hydraulic elevators. When provided, car safeties shall comply with section 2.17, and sections 3.17.1.1 through 3.17.1.3 of the ASME A17.1 code.
Car safeties shall be installed if the department determines they are necessary for safe operation.

R 408.7042 Cylinder protection.
Rule 42. Section 3.18.3.8.1 of the ASME A17.1 code is amended to read as follows:
3.18.3.8.1 Cylinders not completely exposed above ground shall be protected from corrosion due to galvanic or electrolytic action, salt water, or other underground conditions. An outer cylinder casing of steel is required on a new hydraulic elevator or where a cylinder is being replaced. The steel casing shall have a wall thickness that is not less than 3/8 of an inch. An expandable-type concrete plug shall be poured in the bottom of a casing or a welded plate closer shall be provided and water removed. Dry nonconductive material, if needed, shall be provided between a cylinder and its casing to secure the position of the cylinder. Other methods may also be used with the required steel casing in compliance with section 3.18.3.8.2 of the ASME A17.1 code.

R 408.7043 Pipe supports and guards.
Rule 43. Section 3.19.2.3 of the ASME A17.1 code is amended to read as follows:
3.19.2.3 Piping shall be supported to eliminate undue stress at joints and fittings, particularly at any section of the line subject to vibration. Exposed portions of supply piping directly below the space between the hoistway and car sill in the elevator pit shall be protected with an approved type of guard. Any accessible hydraulic piping that is located outside the elevator machine room or hoistway shall have marking applied stating "Elevator Hydraulic Line" in letters that are at least 19 mm (.75 inch) high in a contrasting color. The marking shall be visible after installation and applied at intervals not greater than 3000 mm (120 inches).

R 408.7044 Shutoff valves; gauge snaps; underground piping; tags.
Rule 44. Section 3.19.4.1 of the ASME A17.1 code is amended to read as follows:

3.19.4.1 A shutoff valve shall be provided on a new or modernized hydraulic elevator and shall be installed in the cylinder supply line within the elevator machine room. If the hoistway is remotely located from the machine room, then a shutoff valve shall also be provided in the elevator pit.

R 408.7045 Pressure gauge fittings.
Rule 45. Section 3.19.4.5 of the ASME A17.1 code is amended to read as follows:
3.19.4.5 A new hydraulic machine shall be provided with the necessary permanent pressure gauge snap-on fittings or permanent gauges, with a shut off valve to allow pressure readings at each pump for checking operating pressures. The gauge or fitting shall be located on the jack side of the check valve or immediately adjacent to the hydraulic control valve.

R 408.7046 Underground piping.
Rule 46. Section 3.19.5.1 of the ASME A17.1 code is amended to read as follows:
3.19.5.1 Underground piping in connection with a new hydraulic elevator is prohibited. If a cylinder is replaced on an existing hydraulic elevator, then the corresponding piping, if underground, is prohibited unless approved by the department.

R 408.7047 Buffers and buffer supports.
Rule .47 Section 5.3.1.14.1 of the ASME A17.1 code is amended to read as follows:
5.3.1.14.1 The car and counterweight shall be provided with spring buffers. They shall be so designed and installed that they will not be fully compressed when struck by car with its rated load or by the counterweight traveling at 125% of the rated speed, or at governor tripping speed where a governor-operated safety is used.

R 408.7048 Buffers.
Rule 48. Section 5.4.10.1 of the ASME A17.1 code is amended to read as follows:
5.4.10.1 For rated speeds not exceeding 0.25 m/s (50 ft/min), spring or equivalent type buffers are required. Bumpers or solid stops shall not be permitted.

R 408.7049 Enclosures for runways and driving machines.
Rule 49. Section 5.4.13.8 of the ASME A17.1 code is amended to read as follows:
5.4.13.8 Location of driving-machine, alignment, and guarding of sheaves.
(1) The driving machine may be mounted on the car chassis or placed at a remote location. If remotely located, all intervening sheaves or sprockets shall be placed to insure that ropes or chains travel in proper alignment. All sheaves or sprockets shall be guarded.
(2) A driving machine and controller shall be located within a locked enclosure. This enclosure shall be supported and braced so as to deflect not over 1 inch when subjected to a force of 100 pounds applied horizontally at any point.

R 408.7050 Type of operation.
Rule 50. Section 5.4.15.1 of the ASME A17.1 code is amended to read as follows:
5.4.15.1 The inclined elevator shall be operated by weatherproof constant pressure key switches at each landing and on the car. Key-operated switches shall be of the spring-return type and shall be operated by a cylinder type lock having not less than 5-pin or 5-disk combination with the key removable only when the switch is in the off position. The key shall be group 4 security in compliance with section 8.1 of the ASME A17.1 code.

R 408.7051 Electrical equipment and wiring requirements.
Rule 51. Section 5.4.15.5.1 of the ASME A17.1 code is amended to read as follows:
5.4.15.5.1 All electrical equipment and wiring shall conform to the requirements of the Michigan electrical code. A fused disconnect switch or a circuit breaker shall be installed within the machine enclosure and connected to the power supply line to each electric motor. A hoisting motor shall have a manually reset type of electrical overload device.

R 408.7052 Clearances between balustrades and steps.
Rule 52. Section 6.1.3.3.5 of the ASME A17.1 code is amended to read as follows:
6.1.3.3.5 The clearance (loaded gap) between the step tread and the adjacent skirt panel shall be not more than 3/16 inch when 110 n (25 lbf) is laterally applied from the step to the adjacent skirt panel. The applied load shall not deviate from 110 n (25 lbf) by more than ± 11 n (2.5 lbf). The load shall be distributed over an area not less than 1940 mm² (3 inches²) and not more than 3870 mm² (6 inches²). The combined clearances of both sides shall be not more than 1/4 of an inch.

R 408.7053 Skirt deflector devices.
Rule 53. Section 6.1.3.3.8 of the ASME A17.1 code is amended to read as follows:
6.1.3.3.8 Deflector devices shall be permitted. Where provided, deflector devices shall extend from skirt panels parallel to the escalator path of travel. Means to secure such deflector devices may be on the exposed surface of the skirt. All fasteners shall be of steel with machine screw threads. Any exposed fastener heads shall be of the tamper-resistant type and flush to within 1 mm (0.04 inch).
(1) Rigid elements shall be in compliance with the following conditions:
(a) Horizontal protrusions extending above the step shall be 18 mm (0.75 inch) maximum. Corners or changes in profile shall be rounded or beveled. The exposed surfaces of such elements shall be smooth and permanently treated with a low-friction material.
(b) On the incline, the area of any protrusion shall lie entirely offset outward from a line beginning on the vertical portion of the skirt panel measured 25 mm (1 inch) vertically above the step nose line. The lower surface shall be beveled not less than 10 degrees upward and the upper surface shall be beveled not less than 15 degrees downward in compliance with Figure 6.1.3.3.8 of the ASME A17.1 code.
(c) At the upper and lower landing, any protrusion shall lie entirely above a line beginning on the vertical portion of the skirt panel 50 mm (2 inches) above the step nose line. The lower surface shall be beveled not less than 10 degrees upward and the upper surface shall be beveled not less than 15 degrees downward. Any rigid elements at the landings shall smoothly blend into the rigid elements along the incline in accordance with the radius of curvature of the transition zone.
(d) If attached to the skirt, rigid elements shall withstand a force of 900 N (200 lbf) perpendicular to the line of attachment of the element without detachment or permanent deformation. The force shall be applied to an area of 645 mm² (1 inch²).
(2) Flexible elements shall be in compliance with the following conditions:
(a) The horizontal protrusion extending from the skirt surface above the step shall be 50 mm (2 inches) maximum.
(b) Shall be capable of deflecting to an angle of 10 degrees or greater above the horizontal protrusion.
(c) Noncontinuous flexible elements shall be allowed to deflect to allow a maximum of 9.5 mm (0.375 inch) interference with any point on the step surface.
(d) Continuous flexible elements shall not deflect such that they can contact the steps.

R 408.7054 Record of oil usage.
Rule 54. Section 8.6.5.7 of the ASME A17.1 code is amended to read as follows:
8.6.5.7 For systems where part of the cylinder or piping, or both, are not exposed for visible inspection, a written record shall be kept of the quantity of hydraulic fluid added to the system and emptied from leakage collection containers and pans. The written record shall be kept in the machine room. If the quantity of hydraulic fluid loss cannot be accounted for, then the test specified in section 8.11.3.3.3 of R 408.7059 shall be done.

R 408.7055 Firefighters' emergency operation.
Rule 55. Section 8.6.10.1 of the ASME A17.1 code is amended to read as follows:
8.6.10.1 All elevators provided with firefighters' emergency operation shall be subjected quarterly to phase I recall by use of the key switch, and a minimum of 1-floor operation on phase II. Deficiencies shall be corrected. An accessible written record of test results shall be maintained in the machine room.

R 408.7056 Applicability of alteration requirements.
Rule 56. Section 8.7.1.1 of the ASME A17.1 code is amended to read as follows:
8.7.1.1 (1) If any alteration is performed, regardless of any other requirements of section 8.7 of the ASME A17.1 code, then the installation, as a minimum, shall conform to both of the following requirements:
(a) The Michigan elevator laws and rules at the time of installation.
(b) The Michigan elevator laws and rules for the alteration at the time of any alteration.
(2) A permit shall be obtained and the elevator shall not be placed into service until it has been inspected and tested in the presence of a general inspector, except as provided in section 15 of the act.

R 408.7057 Car enclosure alterations.
Rule 57. Section 8.7.2.14.3 of the ASME A17.1 code is amended to read as follows:
8.7.2.14.3 If any alteration is made to the car enclosure, other than as specified in section 8.7.2.14.2 of the ASME A17.1 code, then the installation shall conform to the following:
(a) Where an existing metal enclosure is retained and new material, other than metal, is installed, the car enclosure shall conform to section 2.14.2.1.1 of the ASME A17.1 code.
(b) All materials, other than metal or glass, which are used in passenger car enclosure walls and ceilings, and which are not tested in their end use configuration shall be tested individually pursuant to ASTM E 84, UL 723, or NFPA 255, which are adopted by reference in these rules, and the results shall be in compliance with a class A rating, that has a flame spread of 0 - 25 and smoke development of 0 - 450. The ASTM E 84, UL 723, or NFPA 255 standards are available for inspection at the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, or from the American Society for Testing and Materials, 100 Bar Harbor Drive, 2 Conshohocken, PA 19428-2959 (ASTM E 84); COMM 2000, 1414 Brook Drive, Downers Grove, IL 60515 (UL 723); National Fire Protection Association, 11 Tracey Drive, Avon, MA 02322 (NFPA 255) at a cost as of the time of adoption of these amendatory rules of $35.00, $243.00, and $23.50 respectively.
(c) Napped, tufted, woven, looped, and similar materials shall conform to sections 2.14.2.1.1 and 2.14.2.1.2 or sections 8.7.2.14.3(b), 8.3.7, and 8.3.8 of the ASME A17.1 code. Adhesives shall conform to section 8.7.2.14.3(b) of the ASME A17.1 code.

(d) Floor covering, underlayment, and its adhesive shall have a critical radiant flux of not less than 0.45 w/cm² as measured by ASTM E 648 which is adopted by reference in these rules. The standard is available for inspection at the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, or from the American Society for Testing and Materials, 100 Bar Harbor Drive, 2 Conshohocken, PA 19428-2959, at a cost as of the time of adoption of these amendatory rules of $35.00.
(e) Handrails, operating devices, ventilating devices, signal fixtures, audio and visual communications devices, and their housings are not required to conform to section 8.7.2.14.3(a) to (d) of the ASME A17.1 code.

R 408.7058 Acceptance inspection and tests.
Rule 58. Section 8.10.1.1.1 of the ASME A17.1 code is amended to read as follows:
8.10.1.1.1 The acceptance inspection shall be made by an inspector employed by the authority having jurisdiction. All parts of the installation shall be inspected for conformity with the requirements of the Michigan elevator laws and rules and section 8.10 of the ASME A17.1 code. The American society of mechanical A17.2-2001 engineers, guide for inspection of elevators, escalators, and moving walks, ASME, a copy of which is adopted by reference in R 408.7024, is recommended as a guide in making the inspection. Balance load and maximum normal speeds with maximum rated load and no load shall be determined and recorded on forms furnished by the department.

R 408.7059 Three year inspection and test requirements.
Rule 59. Section 8.11.3.3 is added to the ASME A17.1 code to read as follows:
8.11.3.3.3 (1) Cylinders shall be tested at intervals of not more than 36 months.
(2) Three-year inspection and test requirements.
(a) The relief valve setting shall be in compliance with section 3.19.4.2 of the ASME A17.1 code. The relief valve shall be resealed if the relief valve setting is altered or if the seal is broken.
(b) Test the relief valve setting by first inching the empty car upward to engage the plunger stop ring or to engage other suitable blocking provided and then apply pressure from the pump to check the setting.
Procedures for set test are as follows:
(i) Put rated load in the car and locate it at any convenient level.
(ii) Open the disconnect switch and locate the elevation of the platform with respect to a convenient reference.
(iii) For cylinders that are not completely exposed, after not less than 2 hours, note the position of the platform with respect to the chosen reference. For cylinders that are completely exposed, after not less than 30 minutes, note the position of the platform with respect to the chosen reference. A change in the car position during a cylinder test that cannot be accounted for by visible oil leakage or temperature change of the oil indicates a failure of some type requiring further inspections, tests, or repairs. An accessible written record of all oil levels and all oil added shall be maintained in the machine room.

CHAPTER 4. ASME A18.1 MODIFICATIONS

R 408.7060 Runway enclosure.
Rule 60. Section 2.1.1.1 of the ASME A18.1 code is amended to read as follows:

2.1.1.1 The runway shall be guarded by a solid enclosure extending from the lowest landing to a height at least equal to the height of the platform enclosure above the uppermost landing, in no case less than 42 inches (1067 mm) above the uppermost landing. The enclosure shall withstand, without permanent deformation, a force of 125 lbf (556 n) applied on any 4 inch (102 mm) by 4 inch (102 mm) area. The interior of the runway enclosure shall present a smooth surface.

R 408.7061 Runway entrance.
Rule 61. Section 2.1.1.2 of the ASME A18.1 code is amended to read as follows:
2.1.1.2 The runway entrance shall be guarded at the upper landing by a door of unperforated construction not wider than the platform plus 1 inch (25.4 mm). The door shall be self-closing and guard the entire opening to a height equal to or higher than the height of the platform enclosure. The openings created in the runway by these doors shall provide a minimum vertical clearance of 6 feet 8 inches. The doors shall guard the entire area of the openings except for space necessary for operation. Space necessary for operation shall reject a ball 1/2 inch in diameter.

R 408.7062 Platforms.
Rule 62. Section 2.6.1 of the ASME A18.1 code is amended to read as follows:
2.6.1 Frame, floor, and platform entrance. The frame shall be of metal construction and have a factor of safety of not less than 5 based on the rated load. The floor shall be of metal or wood construction with a nonskid surface. One or more of the following shall be provided on each platform entrance:
(a) A solid door with an electric contact which is a minimum of 42 inches high. In no case shall the door be less in height than the height of the platform enclosure opening.
(b) Light rays that are provided at 3 inches and 12 inches above floor level.
(c) A proximity device that is effective for the full width of the opening and from 1 inch above floor level to the height of the platform enclosure opening.
(d) Other types of devices approved by the board. The operation of the device shall remove the electric power from the motor and brake.

R 408.7063 Passenger restriction sign.
Rule 63. Section 2.7.4 is added to the ASME A18.1 code to read as follows:
2.7.4 A passenger restriction sign shall be provided and placed on each landing door and on the platform. It shall be securely fastened in a conspicuous place. The sign shall state "physically disabled persons only - no freight" in letters not less than 1/2 inch (12.8 mm) high and shall include the international symbol for physically disabled persons.

R 408.7064 Passenger restriction sign.
Rule 64. Section 3.7.5 of the ASME A18.1 code is amended to read as follows:
3.7.5 A passenger restriction sign shall be provided and placed on each landing door and on the platform. It shall be securely fastened in a conspicuous place. The sign shall state "physically disabled persons only - no freight" in letters not less than 1/2 inch (12.8 mm) high and shall include the international symbol for physically disabled persons.

R 408.7065 Rated load and speed.
Rule 65. Section 4.7.1 of the ASME A18.1 code is amended to read as follows:
4.7.1. The capacity shall not be more than 2 persons. The rated load shall not be less than 250 pounds for a 1-seat lift and not less than 400 pounds for a 2-seat lift. The rated speed shall not exceed 30 feet per minute.

R 408.7066 Rated load and speed.
Rule 66. Section 7.7.1 of the ASME A18.1 code is amended to read as follows:
7.7.1. The capacity shall not be more than 2 persons. The rated load shall not be less than 250 pounds for a 1-seat lift and not less than 400 pounds for a 2-seat lift. The speed as measured along the incline, shall not exceed 30 feet per minute. The device shall be installed and maintained so that the means of egress is in compliance with the provisions of the Michigan building code.

R 408.7067 Inspection and test requirements for altered installations.
Rule 67. Section 10.5 of the ASME A18.1 code is amended to read as follows:
10.5 (1) If any alteration is performed, regardless of any other requirements of the standard, then the installation, as a minimum, shall conform to the requirements of the Michigan elevator laws and rules and the applicable code requirements.
(2) The alteration shall not begin until a permit is obtained from the department and the elevator shall not be placed into service until it has been inspected and tested in the presence of a general elevator inspector, except as provided in section 15 of the act.

CHAPTER 5. ASME A90-1 MODIFICATIONS

R 408.7068 Applicability of national standard and rules of board.
Rule 68. (1) The standards contained in the American Society of Mechanical Engineers (ASME) safety standard for belt manlifts, ASME A90.1-1997, A90.1a-1999 and A90.1b-2001 addenda are adopted in these rules by reference and are available for inspection at the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, or from the American Society of Mechanical Engineers, 22 Law Drive, Box 2900, Fairfield, New Jersey 07007-02900, at a cost as of the time of adoption of these amendatory rules of $48.00.
(2) This rule applies to manlifts that are used only to carry plant personnel in granaries, flour mills, parking garages, and similar buildings or occupancies. Belt manlifts shall not be used by the public and, if located in buildings to which the public has access, shall be located in an enclosure that is protected by self-closing, spring-locked doors. Keys to the doors shall be available to employees. The use of belt manlifts during construction is prohibited.
(3) The hoistway enclosure shall be in compliance with the requirements of the Michigan building code, R 408.30401 et seq., and shall maintain the fire rating of the structure.
(4) The travel of any single belt manlift installed after February 14, 1968 shall not exceed 100 feet.

CHAPTER 6. ANSI A10.4 MODIFICATIONS

R 408.7069 Applicability of national standard.
Rule 69. The standards contained in the American national standards institute (ANSI) safety requirements for personnel hoists and employee elevators for construction and demolition operations, A10.4-1990, with the exception of sections 24.1.2.1 and 26.4.8.1 are adopted by reference in these rules and are available for inspection at the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes and Fire Safety, 2501 Woodlake Circle, Okemos, Michigan 48864, or from the American National Standards Institute, 1430 Broadway, New York, New York 10018, at a cost as of the time of adoption of these amendatory rules of $54.00.

R 408.7070 Location.
Rule 70. Section 5.4.8 of the ANSI A10.4 standard is amended to read as follows:
5.4.8 (1) A personnel hoist shall be installed not less than 12 feet from any other lifting or lowering apparatus except other personnel hoists.
(2) A hoistway shall not be located either partially or wholly over sidewalks or passageways.
(3) If tower cranes are installed such that the boom or trolley may go over or into the 12 foot restricted area, then both of the following shall apply:
(a) Limit switches shall be located on both the booms and trolleys of the tower cranes to activate audio and visual alarms and also prevent the boom or trolley from going over or working within 12 feet of the personnel hoist while the hoist is occupied.
(b) Key override switches shall be installed to allow the boom and trolley to go into the 12 foot restricted area when moving material, or at any time the boom or trolley passes over the restricted area. The personnel hoist shall be unoccupied at this time. The evacuation of the personnel hoist is the responsibility of the crane operator and the general contractor.

R 408.7071 Hoistway doors and gates.
Rule 71. Section 6.2.2 of the ANSI A10.4 standard is amended to read as follows:
6.2.2 (1) Every hoistway door shall be equipped with an approved interlock.
(2) Sliding doors and gates shall be constructed of metal and shall be of a design which will reject a ball 1-1/2 inches in diameter.

R 408.7072 Spring buffers.
Rule 72. Section 14.2.1 of the ANSI A10.4 standard is amended to read as follows:
14.2.1 The stroke of the buffer spring, as marked on its marking plate, shall be greater than or equal to those listed in table 2 of the code. Spring-type car and counterweight buffers shall be used for rated speeds not exceeding 300 feet per minute. For rated speeds of more than 200 feet per minute the buffer strokes shall conform to both of the following:
(a) 201-250 feet per minute—6-inch stroke.
(b) 251-300 feet per minute—9-inch stroke.

R 408.7073 Car enclosure tops.
Rule 73. Section 17.7 of the ANSI A10.4 standard is amended to read as follows:
17.7 Tops of car enclosures shall be so designed and installed to be capable of sustaining a load of 300 pounds (136 kg) on any square area 2 feet (0.6 m) on a side and 100 pounds (45 kg) applied at any point. Simultaneous application of these loads is not required. The personnel hoist shall have overhead protection equivalent to 2-inch plank. The planks shall be secured. The exit cover shall be hinged and locked and open outward.

R 408.7074 Use of winding drum machines.
Rule 74. Section 22.2 of the ANSI A10.4 standard is amended to read as follows:
22.2 Winding drum machines may be used irrespective of car travel if the drums are grooved for hoisting wire rope. Grooves shall be machine finished and shall be of the helical or parallel type. Only 1 layer of rope may be on the drum.

R 408.7075 Car speed.
Rule 75. Section 22.3 of the ANSI A10.4 standard is amended to read as follows:

22.3 The rated speed shall not be more than 300 feet per minute.

R 408.7076 Emergency stop switch.
Rule 76. Section 24.2.4 of the ANSI A10.4 standard is amended to read as follows:
24.2.4 An emergency stop switch shall be provided in the car and located in or adjacent to the car operating panel. When opened, the switch shall cause the electric power to be removed from the hoist driving-machine motor and brake. Emergency stop switches shall have all of the following characteristics:
(1) Manually opened and closed type.
(2) Red operating handles or buttons.
(3) Conspicuously and permanently marked "stop."
(4) Positively opened mechanically and the opening shall not be solely dependent on springs.
(5) Capability of being locked out of use when the operator leaves the car.
(6) Operation of the emergency stop switch shall not require manual resetting of the control panels.

R 408.7077 Voltages permitted in hoistway or on the car.
Rule 77. Section 24.3.1 of the ANSI A10.4 standard is amended to read as follows:
24.3.1 The maximum system or circuit potential permitted on any equipment in the hoistway or on the car shall be not more than 600 volts. If the potential exceeds 120 volts, then either a grounding conductor shall be incorporated in the traveling cable or a separate grounding conductor shall be installed. A visual indicator shall be included in the grounding circuit, so arranged as to indicate continuously the continuity of the grounding conductor. The type and size of the grounding conductor and the grounding fastening means shall conform to the requirements of the Michigan electrical code. The grounding circuit shall include a device which will interrupt the electric circuit to the load if a ground fault occurs.

R 408.7078 Rated load safety test.
Rule 78. Section 26.4.8 of the ANSI A10.4 standard is amended to read as follows:
26.4.8 A rated load safety test, as required by section 26.2.1.1 of the ANSI A10.4 standard, shall be performed by a licensed elevator contractor in the presence of a general elevator inspector every 90 days.

R 408.7079 Operation.
Rule 79. Section 26.6 of the ANSI A10.4 standard is amended to read as follows:
26.6 Hoists shall be operated in compliance with the manufacturing specifications, rules and recommendations, and the same of the governing authority. This shall consist of items, functions, and criteria pertaining to the hoist use and shall be a part of an operational maintenance and inspection log. One of the following signal systems shall be provided:
(a) An approved signal device shall be provided to enable persons on each landing to signal the operator to stop and an emergency bell shall be provided to signal the operator to return to the bottom landing.
(b) An approved type voice communication system shall be provided between the car and landings and the project manager or job site superintendent's office.

R 408.7080 Authorized uses.
Rule 80. Section 26.6.1 of the ANSI A10.4 standard is amended to read as follows:

26.6.1 (1) The only persons permitted to ride on a personnel hoist are workers and other authorized personnel associated with the work being done.
(2) A personnel hoist may be used for carrying materials if it is designed and installed for the type of load to be used and if no passengers are carried during the time materials are being carried except those necessary to handle the materials.
(3) The load on a personnel hoist shall not exceed the maximum rated load established by the department.
(4) Hoists shall be operated by competent, qualified, and authorized personnel using manual operating devices of the continuous pressure type located inside the hoist car only.

CHAPTER 7. SEWER LIFT STATION PERSONNEL ELEVATORS

R 408.7081 Applicability.
Rule 81. The rules in this subpart apply to electric powered elevators used in sewage lift stations.

R 408.7082 Public access.
Rule 82. A sewage lift station personnel elevator shall not be accessible to the general public and shall be limited to use by employees only.

R 408.7083 Location, counterweights, and speed.
Rule 83. (1) The elevator may be installed in the entrance well.
(2) When counterweights and buffers are provided, the applicable rules shall apply.
(3) The rated speed of a car shall not exceed 35 feet per minute.

R 408.7084 Guarding exposed equipment.
Rule 84. Exposed gears, sprockets, tape or rope sheaves, drums of selectors, floor controllers, signal machines and the ropes, chains or tapes for driving them shall be guarded to protect against accidental contact.

R 408.7085 Supports and foundations.
Rule 85. (1) Machines, machinery, and sheaves shall be supported and maintained in place so as to prevent any part from becoming loose or displaced.
(2) Supporting beams shall be of steel. Beams are not required under machines, sheaves and machinery or control equipment which are supported on floors provided that the floors are designed and installed to support the load imposed on the floor.

R 408.7086 Distance from car platform to floor level.
Rule 86. The distance from the top of a car platform at the lowest landing shall be not more than 20 inches above the floor level. The means of descent from the car platform shall not constitute a hazard.

R 408.7087 Car and counterweight clearances.
Rule 87. (1) If a car platform is level with the lowest landing, then the car buffer striker plates shall not be in contact with the buffers.
(2) If the car is at its extreme limit of normal travel, then there shall be not less than 6 inches between the top of the car crosshead and the nearest obstruction.

(3) If the counterweights are resting on their buffers, then there shall be not less than 3 inches between the top of the car crosshead and the nearest obstruction.
(4) If the car is resting on its buffers there shall be not less than 3 inches clearance between the top of the counterweights and the nearest obstruction.
(5) The clearances between the car and the hoistway enclosure, hoistway sill, or any obstruction shall be not less than 3/4 inch.
(6) The clearance between the car platform sill and hoistway edge shall be not more than 5 inches.
(7) The underside of a projection into the hatch shall be beveled at an angle of not less than 75 degrees with the horizontal unless protected by a safety device to stop the ascending car.
(8) The top of the lower landing entrance shall be provided with a safety device to stop the ascending car if for any reason an overhanging obstruction on the car comes in contact with a shear hazard.

R 408.7088 Landing openings.
Rule 88. (1) If an upper landing side entrance door is provided, the entrance shall be not less than 6 1/2 feet in height.
(2) The top of the hoistway shall be provided with an overlapping, self-locking hinged cover designed to lock the closed side entrance door when the lift station is unoccupied.

R 408.7089 Locking devices.
Rule 89. (1) The hinged cover and the upper landing side entrance door, when provided, shall be provided with a mechanical latch and an electrical contact designed to be operated from inside the hoistway.
(2) A locking device shall be provided to prevent the top hinged cover from locking the upper landing side entrance door when the lift station is occupied.

R 408.7090 Guide rails.
Rule 90. (1) A car and counterweight shall be provided with guide rails of steel.
(2) A guide rail shall be securely fastened with through bolts or clips of strength, design and spacing as follows:
(a) A guide rail and its fastenings shall not deflect more than 1/4 inch under normal operations.
(b) A guide rail and its fastenings shall withstand the application of the safety, when stopping the car with a rated load or when stopping the counterweights.
(c) A guide rail shall rest on supports and extend at the top of the hoistway to prevent the guide shoes from running off the guide rail in case the car or the counterweight travels beyond the terminal landings.

R 408.7091 Frames, enclosures, platforms, capacity, and final limits.
Rule 91. (1) A car frame and platform shall be of metal. Frame members shall be securely bolted and braced. The factor of safety shall not be less than 4 with a uniformly distributed rate load.
(2) The car shall be enclosed to the extent necessary to afford reasonable protection.
(3) The platform area shall not exceed 5 square feet.
(4) The rated capacity shall be not less than 300 pounds.
(5) The limit of travel for the elevator shall be not more than 50 feet.

R 408.7092 Emergency exits.

Rule 92. A car shall be provided with an emergency exit giving egress from the car to an emergency ladder from any location in the hoistway and shall be provided with electrical contacts to prevent movement of the car while the emergency exit is open.

R 408.7093 Safeties and governors.
Rule 93. (1) A car shall be provided with a car safety capable of stopping and sustaining the car with a rated load.
(2) The car safety shall be of the inertia or other type approved by the board, operated as a result of the breakage of the hoisting mechanism or by a speed governor. A governor of the speed-governor type shall operate to set the safety at a speed of not more than 175 feet per minute and on breakage of the suspension means. The safety shall operate without appreciable delay and independently of the governor speed action.
(3) If a speed governor is used, then it shall be located where there is sufficient space for full movement of the governor parts and where the governor cannot be struck by the car or counterweight in case of overtravel.
(4) A safety operated switch shall be provided to open the motor-control circuit and the brake-control circuit before or at the time the safety applies.
(5) A governor rope shall be of iron, steel, Monel Metal or phosphor bronze not less than 1/4 inch in diameter. Tiller-rope construction shall not be used for a governor rope.
(6) An elevator of the winding-drum type or roller chain drive type shall be provided with a slack-rope device of the manually reset type which will remove the power from the motor and brake if the car is obstructed in its descent and the hoisting chain or rope slackens.
(7) A car safety device which depends upon completion of maintenance of an electric circuit for application of the safety shall not be used. A car safety shall be applied mechanically.
(8) Cast iron shall not be used in construction of any part of a car safety, the breakage of which would result in failure of the safety to function to stop and sustain the car.
(9) A test of a car safety shall be made with a rated load in the car before the elevator is put into service. Governor operation of an instantaneous-type safety shall be tested at rated speed by tripping the governor by hand. A safety operated as the result of the breaking of the hoisting mechanism shall be tested by obtaining the necessary slack rope to cause it to function.
(10) An overspeed governor shall be provided for a traction machine.

R 408.7094 Driving machines and sheaves.
Rule 94. (1) A sprocket, winding drum, traction sheave and overhead and deflecting sheave shall be of cast iron or steel. The diameter of a sheave shall not be less than 30 times the diameter of the wire hoisting rope. The rope grooves shall be machined, except where 8 x 19 steel ropes are used. Where 8 x 19 steel ropes are used, the diameter of drums and sheaves may be reduced to 21 times the diameter of the rope.
(2) The factor of safety, based on the static load, that is, the rated load plus the weight of the car or chains, ropes and counterweights, to be used in the design of a driving machine and sheave, shall be not less than either of the following:
(a) Eight for wrought iron and steel.
(b) Ten for cast iron, cast steel and other material.
(3) A set screw fastening shall not be used instead of a key or pin if the connection is subject to torque or tension.
(4) A friction-gearing or clutch mechanism shall not be used for connecting the sprockets, drum, or sheaves to the main driving gear.

(5) Worm gearing having cast-iron teeth shall not be used.
(6) A driving machine shall be equipped with an electrically released spring-applied brake.
(7) A single ground or short circuit, a counter-voltage, or a motor field discharge shall not prevent the brake magnet from allowing the brake to set when the operating device is placed in the stop position.

R 408.7095 Terminal stopping devices.
Rule 95. (1) Upper and lower normal terminal stopping devices operated by a car shall be provided and shall be set to stop the car at, or near, the upper and lower terminal landings. Upper and lower final terminal stopping devices operated by the car shall also be provided and shall be set to stop the car before it strikes either the overhead or obstruction at the lower floor level. A final terminal stopping device shall be provided on and operated by the driving machine of the winding drum type.
(2) The final terminal stopping device shall act to prevent movement of the car in both directions of travel. The normal and final terminal stopping devices shall not control the same switches on the controller unless 2 or more separate and independent switches are provided, 2 of which shall be closed to complete the motor and brake circuit in each direction of travel.

R 408.7096 Operation and operation devices.
Rule 96. (1) The operation at top and bottom landings shall be of the constant pressure type.
(2) The car operating device shall be of the constant pressure push button type with the face of the button not to project beyond the face of the button plate. The device shall be of the 2 hand control type.
(3) An emergency stop switch shall be provided on or adjacent to the car operating panel. A stop switch shall be of the manually opened and manually closed type with a red handle or button and conspicuously marked "Stop." Spring failure shall not prevent opening of the switch where springs are used.

R 408.7097 Control and operating circuits.
Rule 97. The design and installation of the control and operating circuits shall conform to all of the following:
(a) A control system which depends on completion or maintenance of an electric circuit shall not be used for any of the following:
(i) Interruption of the power and application of machine brake at the terminals.
(ii) Stopping of the car when the emergency stop switch in the car is opened or when any of the electrical protective devices operate.
(iii) Stopping the machine when the safety applies.
(b) A spring used to actuate a switch, contactor, or relay to break the circuit to stop a car at the terminal shall be of the compression type.
(c) The failure of a single magnetically operated switch or relay or contactor to release or operate in the intended manner, or the occurrence of a single accidental ground, shall not permit the car to run.

R 408.7098 Hoisting cables.
Rule 98. (1) Only iron, low carbon steel, or steel wire cables with fibre cores, having the commercial classification "elevator wire cable," shall be used for suspension of an elevator car

and counterweights. The wire material for a cable shall be manufactured by the open-hearth or electric furnace process or their equivalent.
(2) Suspension means shall be not less than 2 iron or steel wire cables having a diameter of not less than 1/4 inch.
(3) The factor of safety of the suspension means shall be not less than 7.
(4) The arc of contact of a wire rope on a traction sheave shall be sufficient to produce adequate traction under all load conditions.
(5) A wire rope anchored to a winding drum shall have not less than 1 full turn of rope on the drum when the car or counterweight has reached its limit of possible overtravel.
(6) A car or counterweight wire rope shall not be lengthened or repaired by splicing.
(7) The winding-drum end of a car and counterweight wire rope shall be secured by a clamp on the inside of the drum.
(8) The car or counterweight end of a wire rope shall be fastened by return loop, by individual tapered babbitted sockets, or by an alternate method approved by the board. A clamp of the U-bolt type shall not be used.

R 408.7099 Hoisting chains.
Rule 99. (1) Only roller chain made of high quality alloy, heat treated steel with the following characteristics is acceptable for hoisting chains:
(a) Prestressed.
(b) Shot peened.
(c) In-line blanking.
(d) Deep case hardening of pins and bushings.
(2) Suspension means shall not be less than 2 separate roller chains, each chain having a tensile strength of not less than 3,500 pounds.
(3) The factor of safety of the suspension means shall be not less than 7.
(4) A chain shall have not less than 6 inches of chain available beyond the normal stopping point when the car has reached its extreme limits of travel.
(5) A chain end shall be fastened by standard master links.

R 408.7100 Wiring and lighting.
Rule 100. (1) Electric wiring shall be in rigid metal conduit or electrical metallic tubing.
(2) A traveling cable used between the car and hoistway wiring shall be in compliance with the Michigan electrical code.
(3) A fused disconnect main line switch externally operated shall be provided adjacent to the controller.
(4) Hoistway lighting shall be provided.

R 408.7101 Inspection and tests.
Rule 101. (1) An existing installation and a new elevator installation, after being placed in service, shall be subjected to maintenance inspections and tests.
(2) Maintenance inspections and tests of elevator car and counterweight safeties and governors shall be made at intervals of not more than 12 months.
(3) The owner or owner's authorized agent shall have maintenance inspections and tests made by a person qualified to perform them in the presence of an inspector in the employ of or authorized by the department, except where such an inspector is not available. When the required tests are made, the person or firm conducting the tests shall do both of the following:

(a) Submit to the department a statement upon a form furnished by it certifying that the tests have been conducted and further certifying to the results thereof.
(b) Attach to the governor rope a tag marked to show the date of the test and the name of the person or firm who conducted it.
(4) The distance between any 100 continuous links of roller chain, measured from centerline of pin, shall not be more than + or – 1% of the rated pitch of the chain being tested. For example, 100 links of standard series single strand #40 roller chain, which has a pitch length of 1/2 inch shall not be more than 50 1/2 inches or less than 49 1/2 inches.
(5) The inspection of chain links shall be made at not less than 3 points picked at random.

R 408.7102 Reshackling of hoisting ropes of drum-type machines.
Rule 102. The hoisting ropes of a power elevator having a drum-type driving machine with 1-to-1 roping shall be reshackled at the car ends at intervals not more than 24 months for a machine located below or at the side of the hoistway.

//~~PART I. GENERAL PROVISIONS~~//

R 408.8101 **Rescinded.**//~~Scope.~~
~~Rule 101. These rules establish administrative and operational procedures for implementation of the elevator safety act of 1967. They establish, for protection of the general public, minimum safety requirements for inspection, construction, installation, alteration, maintenance, repair, and operation of elevators.~~//

R 408.8103 **Rescinded.**//~~Definitions.~~
~~Rule 103. (1) As used in these rules:~~
~~(a) "Act" means Act No. 227 of the Public Acts of 1967, as amended, being §408.801 et seq. of the Michigan Compiled Laws.~~
~~(b) "Belt manlift" means a power-driven endless belt which has steps and handholds and which is used to transport persons in a vertical direction through successive floors or levels of a building or structure.~~
~~(c) "Department" means the department of consumer and industry services.~~
~~(d) "Electrical-powered, 1-man elevator" means an elevator that has a car platform area of not more then 5 square feet, a rated load of not more than 300 pounds, and a rated speed of not more than 100 feet per minute. It is for the exclusive use of certain designated operating and maintenance employees and is installed in any of the following:~~
~~(i) A grain or feed mill.~~
~~(ii) A chemical or alcohol distillery.~~
~~(iii) A cement storage tower.~~
~~(iv) A radio tower.~~
~~(v) A similar structure that is not accessible to the general public.~~
~~(e) "Examination" means a survey of the design and construction of elevators or elevator equipment by a dealer in elevators or elevator equipment or an approved insurance company.~~
~~(f) "Hand-powered, 1-man elevator" means an elevator which has a car platform area of not more than 5 square feet, which has a rated load of not more than 300 pounds, and which is operated from the car only by pulling on a stationary rope that is located in the hoistway and passing through or adjacent to the car platform. The elevator is for the exclusive use of the certain designated operating and maintenance employees and is installed in a grain or feed mill or a similar structure that is not accessible to the general public.~~

~~(g) "Inspection" means the official determination by a general inspector of the condition of all parts of equipment on which the safe operation of an elevator depends.~~
~~(h) "Special elevating device" includes other lifting or lowering apparatus which is guided as provided in section 3 of the act.~~
~~(i) "Temporary inspection" means the inspection of a permanent elevator that is to be used on a temporary basis.~~
~~(2) Terms defined in the act have the same meanings when used in these rules.~~//

R 408.8108 **Rescinded.**//~~Applicability of national standards.~~
~~Rule 108. (1) The standards contained in the American society of mechanical engineers (ASME) safety code for elevators and escalators, ASME A17.1-1993 and ASME A17.1a 1994 addenda, hereinafter referred to as "code," are adopted in these rules by reference as rules for elevators in this state, except as set forth in subrule (2) of this rule. The ASME codes may be purchased from the American Society of Mechanical Engineers, 22 Law Drive, Fairfield, New Jersey 07007-2900, or the Michigan Department of Consumer and Industry Services, 7150 Harris Drive, Box 30255, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of $114.00 each. A copy of the code published by the American society of mechanical engineers (ASME) is on file in the Lansing office of the department of consumer and industry services and is available for public inspection.~~
~~(2) The following rules of the ASME A17.1-2000 ASME code are not adopted in these rules: 101.3d, 102.2(c)(3), 201.2, 210.4(b) 303.2c, 500.1, 500.2a, 500.7, 501.4b, 701.5b, 802.3e, 1000.1, 1000.1a, 1000.1b, 1000.1c(3), 1004.1, 1007.1, 1010.1 to 1010.12, 1200.1, table1200, 2000.1b, 2000.1c, 2000.1e, 2000.10a, 2000.10b, 2001.10a, 2001.10b, 2100.10b, 2101.6d, and 2400.1 to 2411.2b. 2.5.1.5.3, 2.8.2.3.2, 2.11.1.3, 2.11.1.4, 2.11.7.2, 2.14.2.2(f), 2.14.2.6, 2.14.5.8.2, 2.16.5.1.3, 2.22.2, 2.26.1.5, 2.26.4.2, 3.19.5, 5.3.1.1.1, 5.3.1.1.2, 5.3.1.1.3, 5.3.1.1.4, 5.3.1.2.1, 5.3.1.14.3, 5.4.10.2, 8.6.5.8, 8.6.10.4, 8.10.1.1.3, 8.11.1.1, 8.11.1.1.1, 8.11.1.1.2.~~//

R 408.8111 **Rescinded.**//~~Existing freight elevators; classification.~~
~~Rule 111. Existing freight elevators are classified in these rules in accordance with the following descriptions:~~
~~(a) Class I—Only the operator or persons necessary to handle freight are allowed to ride.~~
~~(b) Class II—Not to be occupied by any person while the elevator is in motion, but may be occupied only for the purpose of loading or unloading freight.~~
~~(c) Class III—Not to be entered or occupied by any person at any time.~~//

R 408.8121 **Rescinded.**//~~Registration of elevators.~~
~~Rule 121. An elevator shall be registered by the owner or user stating the location, type, capacity, name of manufacturer, and purpose for which it is used. This registration shall be made on a form furnished by the department.~~//

R 408.8122 **Rescinded.**//~~Identification plates and tags.~~
~~Rule 122. (1) The holder of a certificate of operation shall permanently attach to the elevator in an approved area an identification plate showing the rated load and the serial number of each elevator.~~
~~(2) One serial number tag will be furnished and shall be permanently attached to the elevator machine controller.~~
~~(3) Identification plates and tags shall be furnished by the department and remain the property of the department.~~//

R 408.8123 **Rescinded.**//~~Accident reports.~~

~~Rule 123. The holder of a certificate of operation shall notify the department within 48 hours of every accident involving personal injury or damage to the elevator. The department may investigate all such accidents.~~//

R 408.8124 **Rescinded.**//~~Responsibility for elevator operation and maintenance.~~

~~Rule 124. (1) Responsibility for the operation and maintenance of elevators shall be as follows:~~

~~(a) The person, firm, or corporation installing, repairing, relocating, or altering an elevator shall be responsible for its operation and maintenance until the certificate of operation has been issued, except as provided for in R 408.8135 of these rules and shall be responsible for all tests of new, repaired, relocated, and altered equipment until the certificate of operation has been issued.~~

~~(b) The holder of a certificate of operation or his duly appointed agent shall be responsible for the safe operation and proper maintenance of the elevator. The holder of the certificate of operation shall be responsible for all periodic inspections and tests, securing the renewal of the certificate of operation, and the compliance with correction orders.~~

~~(c) The licensed contractor holding a temporary certificate of operation shall be responsible for the safe operation and maintenance of the elevator during the period that the temporary certificate is in force.~~

~~(2) Safety tests shall be performed by personnel approved by the department.~~//

R 408.8131 **Rescinded.**//~~Commissions of special elevator inspectors.~~

~~Rule 131. (1) A commission to inspect elevators in accordance with section 11 of the act may be issued by the director to a designated holder of a special certificate of competency when the fee has been paid and a written request is received from a company authorized to insure elevators in this state. Such a commission shall not be transferable. The commission shall be retained by the company and a commission credential card shall be issued to the special inspector. Both shall be returned when services of the inspector terminate.~~

~~(2) A commission shall expire annually on December 31. A commission may be renewed by payment of a renewal fee and return of the expired card and commission renewal form.~~//

R 408.8132 **Rescinded.**//~~Examinations by elevator and equipment dealers and insurance companies.~~

~~Rule 132. Nothing in the act shall be construed to prevent the examination of elevators by dealers in elevators or elevator equipment or any approved insurance company. Such examination shall not be deemed to be an inspection within the provisions of the act.~~//

R 408.8133 **Rescinded.**//~~New, altered, or relocated elevators; when not to be used.~~

~~Rule 133. A new, altered, or relocated elevator shall not be placed into service until it has been inspected by, and tested in the presence of, a general inspector, except as provided in section 15 of the act.~~//

R 408.8134 **Rescinded.**//~~Frequency of inspections.~~

~~Rule 134. Rule 1001.1 of the ASME A17.1 code is amended to read as follows: 1001.1. 8.11.1.3 All elevators shall be inspected by a general elevator inspector pursuant to the following schedule:~~

~~(a) Passenger and freight elevators, barrier free lifting devices, escalators, moving walks, belt manlifts, and special elevating devices shall be inspected at least once every 12 months.~~

~~(b) Dumbwaiters, inclined lifts, 1-person elevators, hand-powered; 1-person elevators, electric-powered; wheelchair-elevating devices in buildings other than private residences; and sidewalk elevators shall be inspected at least once every 24 months.~~

~~(c) Personnel hoists shall be inspected at least once every 30 days.~~
~~(d) Elevating devices in private residences shall be inspected only at the discretion of the department or owner.~~
~~(e) More frequent inspections may be scheduled at the discretion of the department or owner.~~//

R 408.8135 **Rescinded.**//~~Temporary use of permanent elevators during construction.~~
~~Rule 135. (1) A licensed elevator contractor may request a temporary certificate of operation to permit the use of a passenger or freight elevator before its completion for carrying workmen, authorized personnel, or materials. Such elevator shall not be used until it has been approved by a general inspector, the required fee has been paid, and a temporary certificate of operation has been obtained. Such certificate shall be issued for a period not to exceed 90 days. Renewals may be granted at the discretion of the department.~~
~~(2) Permanent elevators used temporarily during construction shall be inspected every 30 days.~~//

R 408.8136 **Rescinded.**//~~Discontinuance of operation.~~
~~Rule 136. A general inspector may seal an elevator out of service and void the certificate of operation as provided in section 19 of the act or if any of the following conditions exist:~~
~~(a) The holder of the certificate of operation fails to pay the required fee.~~
~~(b) The holder of the certificate of operation fails to report an accident as required by these rules.~~
~~(c) The elevator has been constructed, installed, altered, maintained, or repaired by a person, firm, or corporation not approved by the department.~~//

R 408.8137 **Rescinded.**//~~Inspection reports and certificates of operation.~~
~~Rule 137. (1) A general inspector shall forward to the department a report of each inspection stating the condition of the elevator. The inspection report shall be filed with the department within 10 days after the inspection has been completed.~~
~~(2) A report indicating an elevator has been sealed out of service shall be forwarded to the department within 48 hours.~~
~~(3) The director shall issue a certificate of operation for a capacity not to exceed that named in the inspection report.~~//

R 408.8138 **Rescinded.**//~~Correction orders.~~
~~Rule 138. (1) If upon inspection an elevator is deemed to be in an unsafe condition, or if the owner or user has not complied with these rules, the general inspector shall issue to the holder of the certificate of operation a written correction order stating corrections required and a time limit within which the correction order shall be complied with. The owner or user shall notify the department in writing as soon as full compliance is effected. Notification shall be on forms furnished by the department.~~
~~(2) If in the judgment of the general inspector, failure to make such corrections would endanger human life, compliance with the correction order may be required immediately.~~
~~(3) Noncompliance with the correction order may subject the holder of the certificate of operation to the penalty provisions of the act.~~//

R 408.8139 **Rescinded.**//~~Disconnecting means for new and altered elevators.~~
~~Rule 139. The disconnecting means for all elevators and escalators that have 208 volts alternating current (VAC) nominal, 3-phase, shall be a heavy-duty type means and feature a dual cover interlock.~~//

R 408.8141 **Rescinded.**//~~Special elevating devices.~~

~~Rule 141. (1) Special elevating devices within the scope of the act shall meet the requirements established by the department and the rules promulgated by the board.~~

~~(2) The devices specified in subrule (1) of this rule shall receive special consideration from the department as to the safety features incorporated into them before they may be approved for installation. A permit to install a special elevating device shall be obtained from the department in accordance with section 15 of the act.~~

~~(3) All of the following provisions apply to an electric powered, barrier free lifting device used to raise or lower a person from one level to another, hereinafter referred to as a "device."~~

~~(a) A device shall have a vertical rise of not more than 15 feet and shall serve not more than 2 floors. Three landings are allowed when there is an intermediate level between 2 floors.~~

~~(b) The installation of a device in other than a 1- or 2-family dwelling shall be limited to those structures that have a total square footage of not more than 20,000 square feet. A device may be installed in a building that has a total square footage of more than 20,000 square feet if the area to be accessed is 10,000 square feet or less. Only 1 device per structure is allowed.~~

~~(c) A device shall not be used for moving freight.~~

~~(d) The rated speed of a device shall not be more than 30 feet per minute. If the distance to be traveled by a device is more than 6 feet, the minimum speed of the device shall be not less than 15 feet per minute.~~

~~(e) All exposed equipment on a device shall be guarded to protect against accidental contact which could cause bodily injury.~~

~~(f) Where a recessed pit is not provided, a permanent structural ramp and landing shall be provided as required for access to and from the platform and shall be built in accordance with the ramp and landing specifications contained in R 408.30401 et seq. of the Michigan Administrative Code and be constructed to safely carry the rated capacity of the device.~~

~~(g) The frame of a device shall be constructed of metal.~~

~~(h) The clear floor area of the car below the handrail shall be a minimum of 54 inches long and a minimum of 32 inches wide and shall not be more than 13 square feet. The controls shall be located so as to not infringe upon the minimum 32 inch by 54 inch clear space below the handrail.~~

~~(i) The rated capacity of a device shall be not less than 650 pounds and the maximum capacity shall be not more than 750 pounds.~~

~~(j) A production model of a device shall be subjected to a static load test to establish that all structural components of the device will withstand stresses of 10 times the rated load of the device and to ensure a factor of safety of not less than 10. A registered professional engineer shall certify the safety factor and affix his or her signature and seal to the certification.~~

~~(k) All welding shall be conducted in accordance with the standards established by the American welding society code for structural welding D1.1 90. The welding society code is adopted in these rules by reference and is available for inspection at the Lansing office of the Michigan department of consumer and industry services. The welding society code may be purchased from the American Welding Society, Inc., N. W. 7th Street, Miami, Florida 33125, or from the Michigan Department of Consumer and Industry Services, 7150 Harris Drive, Box 30255, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of $25.00 each.~~

~~(l) The device shall be fully enclosed on the top and on any side which is not used as an exit or entrance. Device enclosures shall be in compliance with the requirements of ASME rule 204.2a.~~

~~(m) A device door without openings, except for vision panels if provided, shall be provided at each entrance to the device and shall be provided with an electric contact device door or electric contact gate in compliance with the requirements of ASME rule 111.5. A door or gate handle shall be provided for manually operated doors and shall be of the lever or bar type. The top of the handle shall not be more than 48 inches above the device floor.~~

(n) A handrail extending the full length of 1 long side of the platform shall be provided at a maximum height of 36 inches to the top of the handrail above the finished floor of the device on the control side. The bottom of the handrail shall be not less than 32 inches above the finished floor of the device.
(o) Each device, except for direct-plunger hydraulic devices, shall be provided with a safety mechanism and overspeed governor which shall, in the event the device descends at a rate of more than 150% of the rated speed, interrupt the electrical power supply to the brake and motor and grip the rails or by other means firmly bring the car, loaded with the rated load, to a stop within a traveling distance of 1.5 inches and hold it stationary. After use, the safety mechanism shall only be capable of release when the car is raised. (p) The operating controls from any control station shall be of a momentary pressure automatic type. Push/pull type and recessed controls are prohibited. Metal tactile numbers shall be provided adjacent to device control buttons and switches.
(q) The control station shall be mounted or installed on the side of the device within the reach of a person in a wheelchair. The controls shall be mounted at a height between 36 inches and 48 inches above the platform floor.
(r) Hall controls shall be mounted on the latch side of the door and be located between 36 inches and 48 inches above the finished floor.
(s) The control on the device shall include an emergency signaling alarm bell combination that is in compliance with the requirements of ASME rule 211.1 and which is operable at all times and an emergency stop switch as required by the provisions of ASME rules 210.2e and 211.1(1).
(t) A separate fused disconnecting means or circuit breaker shall be provided in the machine room on a separate electrical circuit which is not accessible to the general public.
(u) A slack cable switch, where required, shall comply with the requirements of ASME rule 210.2a.
(v) The installation of pipes or ducts conveying gases, vapors, or liquids in hoistways, machine rooms, or machinery spaces shall comply with the requirements of ASME rule 102.2. Only such electrical wiring used directly in connection with a device may be installed inside the hoistway, machine room, or machinery spaces and shall comply with the requirements of ASME rule 102.1.
Electrical wiring and components in a device and its installation shall comply with the requirements of the national electrical code, NFPA 70-1996, which is adopted in these rules by reference and is available for inspection at the Lansing office of the Michigan department of consumer and industry services. The national electrical code may be purchased from the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, or the Michigan Department of Consumer and Industry Services, 7150 Harris Drive, Box 30255, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of $30.00 each.
(w) The hoistway shall be fully enclosed. The hoistway enclosure and the entrance assemblies shall have a fire resistance rating of not less than 1 hour.
A permanent weathertight enclosure shall be provided when a device is exposed to the outside elements. The enclosure shall be made of approved construction materials in accordance with R 408.30401 et seq. of the Michigan Administrative Code. The enclosure shall not deflect more than 1 inch when subjected to a force of 100 pounds applied horizontally at any point.
(x) The hoistway entrances of a device shall be guarded by doors of unperforated construction. The doors shall be of the delayed self closing type, not less than 80 inches in height, and provide a minimum clear opening width of 32 inches if the door is on the short side of the platform and 40 inches of clear opening width if the door is on the long side of the platform. The doors shall have an approved combination mechanical lock and electric contacts. The door shall be openable only if the car platform is within 1/2 inch of the floor level.
(y) The running clearance between the edge of the platform sill and the landing sill shall be not less than 3/8 of an inch nor more than 3/4 of an inch. The distance between the edge of the hoistway landing sill

~~to the hoistway face of the door shall not be more than 3 inches. The distance between the hoistway face of the landing doors and the device door shall not be more than 5 inches.~~
~~(z) A minimum 30-second, noninterference feature shall be provided and shall assure that the first call registered will control the operation of the device.~~
~~(aa) The device platform floor surfacing shall be of a slip-resistant type.~~
~~(bb) Where a platform of a device does not have an under-platform clearance of 48 inches or the maximum rise of the device, whichever is less, when resting on its bottom mechanical limits, the device shall incorporate a means which, when appropriately positioned during maintenance, will mechanically prevent the platform from descending closer than 48 inches to the pit floor at rated speed with rated load in the down direction. Instructions shall be posted in the pit.~~
~~(cc) Platform guide rails shall be of metal construction. Steel construction shall be in compliance with the requirements of ASME rule 200.2a. Metals other than steel shall be in compliance with the requirements of ASME rule 200.2b. The top and bottom ends of each run of guide rail shall be so located in relation to the extreme positions of travel of the device that the device guiding members cannot travel beyond the ends of the guide rails. Fastenings, deflections, and joints shall be in compliance with the requirements set forth in ASME rules 200.2, 200.5, and 200.8.~~
~~(dd) The driving machine shall be of the traction or direct-plunger hydraulic type. Traction machines shall comply with the requirements of ASME section 208. Terminal stopping devices shall be provided for traction driving machines and shall be in compliance with the requirements of ASME section 209. Tests for traction driven machines shall be conducted in accordance with the requirements of ASME section 1002. Direct-plunger hydraulic driving machines shall comply with the requirements of ASME sections 302 and 303 and R 408.8636a and R 408.8638 of the Michigan Administrative Code. Terminal stopping devices and control circuits shall be provided for direct-plunger machines and shall comply with the requirements of ASME rules 305.1 and 306.9. Tests for hydraulic machines shall be conducted in accordance with the requirements of R 408.8639 of the Michigan Administrative Code.~~
~~(ee) Machines, machinery, and sheaves shall be so supported and maintained in place to prevent any part from becoming loose or displaced under the conditions imposed in service and shall comply with the requirements of ASME section 105.~~
~~(ff) A device shall be serviced and examined for defects by a licensed elevator journeyperson at least once every 90 days.~~
~~(gg) A stop switch in compliance with the requirements of ASME rule 210.2(e) shall be provided on the top of a device.~~//

R 408.8145 **Rescinded.**//~~Dormant elevators.~~
~~Rule 145. (1) An elevator which is inactive for 1 year shall be classified as a dormant elevator and placed out of service in the following manner:~~
~~(a) The hoisting cables shall be removed and the car and counterweights lowered into the pit.~~
~~(b) The power supply on a power elevator shall be permanently disconnected by removal and taping of the power leads to disconnecting means.~~
~~(c) Landing entrances shall be protected by having the hoistway doors blocked in a closed position from inside the hoistway.~~
~~(2) Before a dormant elevator can be placed in service, it shall be reinspected by the department and shall conform to rule 1001.8 of the standard.~~//

R 408.8149 **Rescinded.**//~~Examination for license or certificate of competency; journeyman.~~
~~Rule 149. The board may delegate to the elevator division the authority to administer the written or oral examinations, or both, required for journeymen's licenses. The minimum passing grade for an applicant~~

~~for a license or a certificate of competency shall be 70%. An applicant who fails to attain the minimum passing grade is not eligible for reexamination for 60 days after the examination, except as otherwise required by the act or by special permission of the board. A new application form and payment of the prescribed fee is required each time an applicant is examined.~~//

R 408.8150 **Rescinded.**//~~Elevator contractors' and journeypersons' licenses; type classification.~~

~~Rule 150. (1) Elevator contractors' licenses and elevator journeypersons' licenses are classified as follows:~~

~~(a) Type A, which covers the construction, repair, installation, alteration, and maintenance of any type of elevating device within the scope of the act.~~

~~(b) Type B, which covers the repair and maintenance of any type of elevating device within the scope of the act.~~

~~(c) Type C, which covers specific installations designed for particular and special purposes for which the applicant can prove that he or she is qualified.~~

~~(2) More than 1 type of device may be combined or added to 1 Class C elevator contractor's license if the applicant has passed a written examination for each type of device.~~//

R 408.8151 **Rescinded.**//~~Fees.~~

~~Rule 151. (1) Fees shall be paid in accordance with the following schedule:~~

~~Commissions to inspect elevators~~	
~~Commission~~	~~$25.00.~~
~~Commission renewal~~	~~$25.00.~~
~~Examination for certificates of competency~~	
~~Certificate of competency examination~~	~~$35.00.~~
~~Elevator contractor's licenses~~	
~~Elevator contractor's license and renewal~~	~~$75.00.~~
~~Elevator contractor's examination~~	~~$45.00.~~
~~Elevator journeyperson license and renewal~~	~~$20.00.~~
~~Elevator journeyperson examination~~	~~$25.00.~~
~~Installation permits~~	
~~Base permit fee for each of the following devices:~~	~~$200.00.~~
~~Passenger elevator~~	
~~Freight elevator~~	
~~Mine elevator~~	
~~Inclined elevator~~	
~~Limited-use/limited application elevator~~	
~~Private residence elevator~~	
~~Special purpose personnel elevator~~	
~~Dumbwaiter~~	
~~Material lift~~	
~~Plus $25.00 for each hoistway opening~~	
~~Escalator~~	~~$200.00.~~

~~Moving walk~~	~~$200.00.~~
~~Power sidewalk elevator~~	~~$200.00.~~
~~Rooftop elevator~~	~~$200.00.~~
~~Personnel hoist, initial inspection~~	~~$350.00.~~
~~Personnel hoist tower rise~~	~~$150.00.~~
~~Belt personlift~~	~~$175.00.~~
~~Special elevating device~~	~~$200.00.~~
~~Barrier free lifting device~~	~~$200.00.~~
~~Private residence platform lift and private residence stairway chairlift~~	~~$75.00.~~
~~Platform lift and stairway chairlift in buildings other than private residence~~	~~$100.00.~~
~~Private residence outdoor inclined lift~~	~~$75.00.~~
~~Outdoor inclined lift at buildings other than private residence~~	~~$100.00.~~

~~A final inspection fee is included in the installation permit fee. If a scheduled final inspection is canceled without due notice to the department, or if the elevator is not complete, in the judgment of the general inspector, an additional fee of $300.00 shall be charged to the elevator contractor.~~

~~Major alteration permits~~

~~First alteration (including 1 final inspection)~~	~~$110.00.~~
~~Each additional alteration~~	~~$45.00.~~
~~Maximum alteration fee~~	~~$280.00.~~

~~Certificate of operation~~

~~Annual certificate of operation~~	~~$35.00.~~
~~Temporary certificate of operation~~	~~$140.00.~~

~~Inspection by general inspector~~

~~Inspection~~	~~$110.00.~~
~~Follow-up~~	~~$110.00.~~

~~Special services~~

~~The department may provide, upon written request, special services that are not otherwise covered in the fee structure. The charge for this service shall be at the rate of $50.00 per hour including travel time.~~

~~(2) Fees that are required pursuant to the provisions of the act shall be paid to the department. Checks or money orders shall be made payable to the "State of Michigan."~~//

R 408.8152 **Rescinded.**//~~Supervising employees.~~

~~Rule 152. (1) When a contractor's license is based on the qualification of a supervising employee, termination of employment of a supervising employee shall result in the suspension of the license 90 days subsequent to such termination of employment and the license shall remain suspended until another supervising employee is certified for the employer by the board. The supervising employee and the employer shall each notify the department in writing when the termination of the employment of the former occurs.~~

~~(2) A person serving as supervising employee of a contractor may not concurrently serve as supervising employee of another contractor. A supervising employee shall be employed on a full-time basis by the contractor.~~//

R 408.8153 **Rescinded.**//~~Renewal of contractor's licenses and commissions.~~
~~Rule 153. A contractor's license and a commission which has expired may be renewed within 60 days after the date of expiration without examination upon payment of the required renewal fee. A contractor's license and a commission which is not so renewed is considered revoked.~~//

R 408.8161 **Rescinded.**//~~Violations; penalties.~~
~~Rule 161. Any person, firm, or corporation who shall refuse to comply with, or who shall assist in the violation of, any of the provisions of these rules, or who, in any manner hinders, obstructs, resists, prevents, causes unreasonable delay, or in any manner interferes with the inspectors in the performance of any duty herein imposed, or shall refuse to permit such inspectors to perform their duty by refusing them entrance at reasonable hours to buildings or places for the purpose of enforcement of these rules, shall be subject to the fines and penalties as provided by the act.~~//

R 408.8171 **Rescinded.**//~~Appeals to the board.~~
~~Rule 171. (1) Any person, firm, or corporation aggrieved by any decision, ruling, or order of the director or of the department may appeal within 15 days from date of mailing of the decision, ruling, or order to the board, for a hearing before the board in accordance with section 8(d) of the act. An appeal shall specify the reasons and the relief sought and shall be submitted to the director for presentation to the board.~~
~~(2) A fee of $25.00 shall be deposited with the department at the time the appeal is filed. Payment shall be by cash, money order, or certified check made payable to "Treasurer—State of Michigan."~~
~~(3) The board shall set a time for hearing of the appeal and give notice by mail to the appellant at least 10 days prior to the date set for hearing.~~
~~(4) A request for an adjournment shall be filed in writing at least 5 days prior to the date set for hearing. The board, or the director, may for good cause shown grant an adjournment.~~
~~(5) If the appellant fails to appear at the time set for hearing, the board may proceed with the hearing and decide the case in the absence of the appellant. The board may affirm, modify or set aside the ruling of the department and shall notify the director and the appellant in writing of its decision. The department shall refund the appeal fee if a decision is rendered in favor of the appellant.~~//

//~~PART II. EXISTING INSTALLATIONS~~//

R 408.8201 **Rescinded.**//~~Applicability of rules and manual.~~
~~Rule 201. The sections listed in R 408.8203 outline the minimum requirements, regular maintenance, and approved safety practices for elevators as defined in section 3 of the act. All other approved existing features or components of the elevator shall comply with these rules and shall be maintained as described in the American standard inspectors' manual ASME/ANSI A17.2-1988 and ASME/ANSI A17.2a-1989 addenda, which is adopted in these rules by reference and is available for inspection at the Lansing office of the Michigan department of consumer and industry services. The manual may be purchased from the American Society of Mechanical Engineers, 22 Law Drive, Fairfield, New Jersey 07007-2900, or from the Michigan Department of Consumer and Industry Services, 7150 Harris Drive, Box 30255, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of $60.00 each.~~//

R 408.8202 **Rescinded.**//~~Elevators operated from car only.~~
~~Rule 202. Elevators operated from the car only shall be provided with an approved means of opening the landing door, from the landing side, when the car is in the unlocking zone.~~//

R 408.8203 **Rescinded**.//~~Applicability of sections of standard.~~
~~Rule 203. The following sections of the standard shall apply to all existing installations:~~
~~(a) Electrical wiring Section 102. (b) Hydraulic piping and fittings Section 303.~~
~~(c) Safety tests..... Sections 1000, 1001, and 1100.~~
~~(d) Maintenance and repairs ..... Section 1002.~~
~~(e) Alterations Sections 1200, 1201, and 1212.~~**//**

R 408.8205 **Rescinded.**//~~Servicing and examination of power elevators; frequency; exception.~~
~~Rule 205. A power elevator, except a private residence elevator, and a private residence inclined lift shall be serviced and examined for defects by a licensed elevator journeyperson at least once every 90 days, except for the following devices which shall be serviced and examined at least once every 180 days:~~
~~(a) Dumbwaiters.~~
~~(b) One-person elevators, electric-powered.~~
~~(c) Wheelchair-elevating devices in buildings other than private residences.~~
~~(d) Inclined lifts in buildings other than private residences.~~
~~An accessible written record of all service and examination shall be maintained in the machine room or on-site if a machine room does not exist.~~//

R 408.8206 **Rescinded.**//~~Servicing and examination of power elevators; compliance with rules; exception.~~
~~Rule 206. A power elevator, except a private residence elevator and a private residence inclined lift, shall be serviced and examined in accordance with R 408.8201 to R 408.8203.~~//

R 408.8211 **Rescinded.**//~~Enclosures of hoistways.~~
~~Rule 211. Rules 100.1 and 100.2 of the standard shall apply to enclosures of hoistways.~~//

R 408.8212 **Rescinded.**//~~Projections into hoistway.~~
~~Rule 212. (1) Ledges, floor beams, sills, saddles, timbers, and other similar projections in front of car openings projecting more than 2 inches from the inside of the general surface of the hoistway enclosure shall be fitted with smooth, beveled guards set directly under the projections. The angle of such bevels or guard plates shall be not less than 60 degrees, and preferably 75 degrees from the horizontal.~~
~~(2) Windows, recesses, or offsets, except door lintels, in the general surface of the hoistway enclosure which are opposite car openings, shall be protected by curtain walls, grating or vertical bars, set flush with the general surface of the hoistway. Except to protect windows, such curtain walls, grating or vertical bars will not be required where a car gate on the car opening opposite such recess or offset is equipped with a mechanical lock which prevents opening of such gate except when the car is level with a hoistway door on that side.~~//

R 408.8213 **Rescinded.**//~~Access to machine rooms and machinery spaces.~~
~~Rule 213. (1) A permanent, safe, and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons.~~

~~(2) Access doors to machine rooms shall be provided with locks and kept closed and locked.~~
~~(3) Access to an elevator machine room from the hoistway is prohibited.~~//

R 408.8214 **Rescinded.**//~~Lighting and ventilation of machine rooms and spaces.~~
~~Rule 214. Rule 101.5 of the standard shall apply to lighting and ventilation of machine rooms and machinery spaces.~~//

R 408.8215 **Rescinded.**//~~Storage of materials.~~
~~Rule 215. Rule 101.2 of the ASME code shall apply to the storage of materials.~~//

R 408.8216 **Rescinded.**//~~Foreign pipes.~~
~~Rule 216. The inspector shall order the removal, from existing elevator hoistways or machine rooms, of any pipe conveying gases, liquids, or vapors which, if discharged into the hoistway or machine room or ignited, might endanger life.~~//

R 408.8217 **Rescinded.**//~~Enclosure of machine rooms.~~
~~Rule 217. Rules 101.1a and 101.1b of the standard shall apply to enclosure of machine rooms.~~//

R 408.8218 **Rescinded.**//~~Guarding of exposed equipment.~~
~~Rule 218. Rule 104.1 of the standard shall apply to guarding of exposed equipment.~~//

R 408.8219 **Rescinded.**//~~Pits and spaces below hoistways.~~
~~Rule 219. (1) Rule 106.1 of the standard shall apply to pits.~~
~~(2) Rule 109.1 of the standard shall apply to protection of spaces below hoistways.~~//

R 408.8220 **Rescinded.**//~~Protection of hoistway landing openings.~~
~~Rule 220. (1) Rule 110.1 of the standard shall apply, where applicable for passenger elevators, to protection of hoistway landing openings.~~
~~(2) Exception: Present hoistway doors of wire glass may be continued in use if they are covered or replaced by unperforated metal of not less than no. 18 gauge sheet steel or equivalent material so supported and braced as to deflect not over 1 inch when subjected to a force of 100 pounds applied horizontally at any point. As an alternative to covering doors and to reduce the size of single vision panels, members of noncombustible material and substantial construction shall be securely fastened to the hoistway side of doors and located in such a manner as to reject a ball 6 inches in diameter.~~//

R 408.8221 **Rescinded.**//~~Car and counterweight buffers.~~
~~Rule 221. Section 201 of the standard shall apply to car and counterweight buffers.~~//

R 408.8222 **Rescinded.**//~~Door locks and keys.~~
~~Rule 222. (1) Rule 111.1a of the standard shall apply to hoistway door lock devices.~~
~~(2) Emergency key and keyways especially designed to prevent easy duplication, that will unlock the hoistway door nearest the bottom terminal landing to permit easy access to the top of the car and the bottom terminal landing to permit access to the pit irrespective of the position of the car, shall be provided for each elevator having a type of operation that operates the elevator from the landing side of the hoistway and the hoistway door interlocks keep the doors in the locked position when the car is not within the landing zone.~~
~~(3) Subrule (2) of this rule does not apply when access switches are provided.~~//

R 408.8223 **Rescinded.**//~~Emergency release buttons.~~
~~Rule 223. Devices to render hoistway door interlocks or hoistway or car door or gate electric contacts inoperative are prohibited.~~//

R 408.8224 **Rescinded.**//~~Door hold open devices.~~
~~Rule 224. Door hold open devices may be retained if the hoistway door closes before the elevator leaves the landing zone.~~//

R 408.8225 **Rescinded.**//~~Plugged door contacts and locks.~~
~~Rule 225. The department shall require the relocation of car gate contacts, hoistway door or gate contacts or interlocks where such devices are found tied or blocked so to render them inoperative.~~//

R 408.8226 **Rescinded.**//~~Closed position of hoistway doors, car doors, and gates.~~
~~Rule 226. Rule 111.7 of the ASME code shall apply to the closed position of hoistway doors, car doors, and gates.~~//

R 408.8227 **Rescinded.**//~~Platforms.~~
~~Rule 227. The underside of wood platforms and the exposed surfaces of wood platform stringers of passenger elevators shall be protected against fire by 1 of the following methods:~~
~~(a) Completely covering with sheet steel of at least no. 27 U.S. gauge or with equally fire-resistive material as determined by the department. Exposed joints and edges of sheet metal, where used, shall be folded.~~
~~(b) Painting with an approved fire-resistive paint.~~//

R 408.8228 **Rescinded.**//~~Car enclosures, entrances, and doors.~~
~~Rule 228. (1) Rules 204.1 and 204.7 of the standard shall apply to car enclosures except for rule 204.7a(3).~~
~~(2) Rules 204.4 and 204.5 of the standard shall apply to car entrances protection.~~
~~(3) Section 112 of the standard shall apply to power doors.~~
~~(4) Rule 110.3a of the standard shall apply to door closers.~~//

R 408.8229 **Rescinded.**//~~Car and counterweight safeties; governors; anti creep.~~
~~Rule 229. (1) Section 205 of the ASME code shall apply to car and counterweight safeties.~~
~~(2) Section 206 of the ASME code shall apply to governors, except that governors of the type which are entirely dependent upon the friction between the governor rope and governor sheave for establishing the force necessary to operate the safeties are prohibited.~~
~~(3) Rule 306.3 of the ASME code shall apply to anti creep for hydraulic elevators installed after June 14, 1957.~~//

R 408.8230 **Rescinded.**//~~Relief valves.~~
~~Rule 230. A hydraulic elevator shall be provided with relief valves conforming to the following:~~
~~(a) The relief valve shall be located between the pump and the check valve and shall be of a type and so installed in a bypass connection that the valve cannot be shut off from the hydraulic system.~~
~~(b) The relief valve shall be preset to open at a pressure not greater than 125% of the working pressure at the pump.~~

~~(c) The size of the relief and bypass shall be sufficient to pass the maximum rated capacity of the pump without raising the pressure more than 20% above that at which the valve opens. Two or more relief valves may be used to obtain the required capacity.~~
~~(d) Relief valves having exposed pressure adjustment, shall have their means of adjustment sealed and tagged after being set to the correct pressure.~~//

R 408.8231 **Rescinded.**//~~Operating and stopping devices.~~
~~Rule 231. (1) Operating devices shall be of the enclosed electrical type. Rope or rod operating devices actuated by hand, wheels, levers, or cranks may be retained if this operation is from within the car only and a continuous pressure electrical control button or switch is provided adjacent to the operating station in the car wired in such manner that continuous manual pressure is required to operate the elevator.~~
~~(2) Section 209 of the ASME code shall apply to cable suspended elevator terminal stopping devices.~~
~~(3) Section 305 of the ASME code shall apply to hydraulic elevator terminal stopping devices.~~
~~(4) Rule 210.2e of the ASME code shall apply to emergency stop switches.~~//

R 408.8232 **Rescinded.**//~~Emergency signal devices.~~
~~Rule 232. Rule 211.1 of the standard shall apply to emergency signal devices except for rule 211.1a1(b), (c), and (d).~~//

R 408.8233 **Rescinded.**//~~Phase-reversal and failure protection for cable suspended elevators.~~
~~Rule 233. Rule 210.6 of the standard shall apply to phase-reversal and failure protection for cable suspended elevators.~~//

R 408.8234 **Rescinded.**//~~Rectifying units supplying power to direct current motors.~~
~~Rule 234. Rule 210.10 of the standard shall apply to the use of rectifying units to supply power to direct current elevator motors.~~//

R 408.8235 **Rescinded.**//~~Driving machines and brakes.~~
~~Rule 235. (1) Belt-drive and chain-drive machines are prohibited.~~
~~(2) Rule 210.8 of the standard shall apply to the application and release of driving machine brakes.~~//

R 408.8236 **Rescinded.**//~~Hoist cables.~~
~~Rule 236. Section 212 of the standard shall apply to hoist cables.~~//

R 408.8237 **Rescinded.**//~~Platform guards.~~
~~Rule 237. Rule 203.9 of the standard shall apply to guards.~~//

R 408.8238 **Rescinded.**//~~Floatable and movable platforms.~~
~~Rule 238. Rule 210.12 of the standard shall apply to floatable and movable platforms.~~//

R 408.8241 **Rescinded.**//~~Enclosures of hoistways.~~
~~Rule 241. (1) 100.1a of the standard shall apply to fire-resistive construction.~~
~~(2) Exception: If in the judgment of the state or local fire enforcement authorities nonfire-resistive hoistway enclosures are safe, approval for their continued use may be secured from the department. Where a fire-resistive hoistway is not required, the hoistway shall be fully enclosed.~~//

R 408.8242 **Rescinded.**//~~Projections into hoistways.~~

~~Rule 242. (1) All ledges, floor beams, sills, saddles, timbers, and other similar projections in front of car openings projecting more than 2 inches from the inside of the general surface of the hoistway enclosure shall be fitted with smooth, beveled guards set directly under the projection. The angle of such bevels or guard plates shall be not less than 60 degrees and preferably 75 degrees from the horizontal.~~
~~(2) Windows, recesses, or offsets, except door lintels, in the general surfaces of the hoistway enclosure which are opposite car openings, shall be protected by curtain walls, grating or vertical bars, set flush with the general surface of the hoistway. Except to protect windows, the curtain walls, grating or vertical bars are not required where a car gate on the car opening opposite the recess or offset is equipped with a mechanical lock which prevents opening of the gate except when the car is leveled with a hoistway door on that side.~~//

R 408.8243 **Rescinded.**//~~Access to machine rooms and machinery spaces.~~
~~Rule 243. (1) A permanent, safe, and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons.~~
~~(2) Access doors to machine rooms shall be provided with locks and kept closed and locked.~~
~~(3) Access to an elevator machine room from the hoistway is prohibited.~~//

R 408.8244 **Rescinded.**//~~Lighting and ventilation of machine rooms.~~
~~Rule 244. Rule 101.5 of the standard shall apply to lighting and ventilation of machine rooms.~~//

R 408.8245 **Rescinded.**//~~Storage of materials.~~
~~Rule 245. Rule 101.2 of the ASME code shall apply to the storage of materials.~~//

R 408.8246 **Rescinded.**//~~Enclosure of machine rooms.~~
~~Rule 246. Rules 101.1a and 101.1b of the standard shall apply to enclosure of machine rooms.~~//

R 408.8247 **Rescinded.**//~~Foreign pipes.~~
~~Rule 247. The inspector shall order the removal, from existing elevator hoistways or machine rooms, of any pipe conveying gases, liquids, or vapors which, if discharged into the hoistway or machine room or ignited, might endanger life.~~//

R 408.8248 **Rescinded.**//~~Hoistway entrance protection.~~
~~Rule 248. Hoistway doors or gates protecting the entrances of existing electric or electrohydraulic elevators shall be equipped with approved type hoistway door combination mechanical locks and electric contacts, be not less than 6 feet in height and reject a ball 2 inches in diameter.~~//

R 408.8249 **Rescinded.**//~~Emergency keys for unlocking hoistway doors.~~
~~Rule 249. (1) Emergency key and keyways especially designed to prevent easy duplication, that will unlock the hoistway door nearest the bottom terminal landing to permit easy access to the top of the car and the bottom terminal landing to permit access to the pit irrespective of the position of the car, shall be provided for each elevator having a type of operation that operates the elevator from the landing side of the hoistway and the hoistway door interlocks keep the doors in the locked position when the car is not within the landing zone.~~
~~(2) Exception: When access switches are provided.~~//

R 408.8250 **Rescinded.**//~~Pits.~~
~~Rule 250. Rule 106.1 of the standard shall apply to pits.~~//

R 408.8251 **Rescinded.**//~~Car and counterweight buffers.~~
~~Rule 251. Section 201 of the standard shall apply to car and counterweight buffers.~~//

R 408.8252 **Rescinded.**//~~Wire glass hoistway doors and vision panels.~~
~~Rule 252. Present hoistway doors of wire glass may be continued in use if they are covered or replaced by unperforated metal of not less than no. 18 gauge sheet steel or equivalent material so supported and braced as to deflect not over 1 inch when subjected to a force of 100 pounds applied horizontally at any point. As an alternative to covering doors and to reduce the size of single vision panels, members of noncombustible material and substantial construction shall be securely fastened to the hoistway side of doors and located in such a manner as to reject a ball 6 inches in diameter.~~//

R 408.8253 **Rescinded.**//~~Door hold open devices.~~
~~Rule 253. Door hold open devices may be retained on horizontal sliding doors if the hoistway door closes before the elevator leaves the landing zone.~~//

R 408.8254 **Rescinded.**//~~Emergency release buttons.~~
~~Rule 254. Devices to render the hoistway door interlocks or hoistway or car door or gate electric contacts inoperative are prohibited.~~//

R 408.8255 **Rescinded.**//~~Plugged door locks.~~
~~Rule 255. The department shall require the relocation of car gate contacts, hoistway door or gate contacts or interlocks where such devices are found tied or blocked so as to render them inoperative.~~//

R 408.8256 **Rescinded.**//~~Power doors.~~
~~Rule 256. Section 112 of the standard shall apply to power doors.~~//

R 408.8257 **Rescinded.**//~~Astragals.~~
~~Rule 257. Rule 110.12d(3)(b) of the ASME code shall apply to astragals.~~//

R 408.8258 **Rescinded.**//~~Car enclosures.~~
~~Rule 258. (1) Rules 204.3 and 204.7 of the standard shall apply to car enclosures.~~
~~(2) Rule 204.1f of the standard shall apply to tops of car enclosures.~~//

R 408.8259 **Rescinded.**//~~Car entrances protection.~~
~~Rule 259. (1) Entrances to electric or electrohydraulic freight elevator cars, except the opening immediately adjacent to the operating device, shall be provided with a car gate or door. Car gates or doors shall be provided at all entrances under the following conditions:~~
~~(a) Elevators having lever, wheel, crank, or cable operating devices.~~
~~(b) Elevators having automatic or continuous manual pressure operation from the landings.~~
~~(c) Where the distance between the hoistway side of a landing door opposite such entrance and the hoistway edge of the landing threshold exceeds 4 inches.~~
~~(2) Car gates or doors shall be at least 6 feet in height and shall reject a ball 2 inches in diameter.~~
~~(3) Car gates or doors shall be equipped with approved car gate or door electric contacts.~~//

R 408.8260 **Rescinded.**//~~Car and counterweight safeties; governors.~~
~~Rule 260. (1) Section 205 of the standard shall apply to car and counterweight safeties.~~

~~(2) Section 206 of the standard shall apply to governors.~~
~~(3) Governors which are entirely dependent upon the friction between the governor rope and governor sheave for establishing the force necessary to operate the safeties are prohibited.~~//

R 408.8261 **Rescinded.**//~~Driving machines.~~
~~Rule 261. Driving machines shall be of the direct connected type.~~//

R 408.8262 **Rescinded.**//~~Anti-creep.~~
~~Rule 262. Rule 306.3 of the ASME code shall apply to a hydraulic elevator installed after June 14, 1957.~~//

R 408.8263 **Rescinded.**//~~Relief valves.~~
~~Rule 263. A hydraulic elevator shall be provided with relief valves conforming to the following:~~
~~(a) The relief valve shall be located between the pump and the check valve and shall be of a type and so installed in a bypass connection that the valve cannot be shut off from the hydraulic system.~~
~~(b) The relief valve shall be preset to open at a pressure not greater than 125% of the working pressure at the pump.~~
~~(c) The size of the relief and bypass shall be sufficient to pass the maximum rated capacity of the pump without raising the pressure more than 20% above that at which the valve opens. Two or more relief valves may be used to obtain the required capacity.~~
~~(d) Relief valves having exposed pressure adjustment shall have their means of adjustment tagged and sealed after being set to the correct pressure.~~//

R 408.8264 **Rescinded.**//~~Operating and stopping devices.~~
~~Rule 264. (1) Operating devices shall be of the enclosed electrical type. Rope or rod operating devices actuated by hand, wheels, levers, or cranks may be retained if the operation is from within the car only and a continuous pressure electrical control button or switch is provided adjacent to the operating station in the car wired in such a manner that continuous manual pressure is required to operate the elevator.~~
~~(2) Section 209 of the standard shall apply to terminal stopping devices.~~//

R 408.8265 **Rescinded.**//~~Rectifying units supplying power to direct current motors.~~
~~Rule 265. Rule 210.10 of the standard shall apply to use of rectifying units to supply power to direct current motors.~~//

R 408.8266 **Rescinded.**//~~Emergency devices.~~
~~Rule 266. (1) Rule 210.2e of the standard shall apply to stop switches.~~
~~(2) Rule 211.1 of the standard shall apply to emergency signals except for rule 211.1a1(b), (c), and (d).~~//

R 408.8267 **Rescinded.**//~~Phase reversal and failure relay.~~
~~Rule 267. Rule 210.6 of the standard shall apply to phase reversal and failure relay.~~//

R 408.8268 **Rescinded.**//~~Electric brakes~~
~~Rule 268. Rule 208.8 of the standard shall apply to electric brakes.~~//

R 408.8269 **Rescinded.**//~~Platform guards.~~
~~Rule 269. Rule 203.9 of the standard shall apply to platform guards.~~//

R 408.8270 **Rescinded.**//~~Slack rope switches.~~
~~Rule 270. Rule 210.2a of the ASME code shall apply to slack rope switches.~~//

R 408.8271 **Rescinded.**//~~Hoist cables.~~
~~Rule 271. Section 212 of the standard shall apply to hoist cables.~~//

R 408.8281 **Rescinded.**//~~Hoistways and hoistway enclosures.~~
~~Rule 281. (1) Rule 100.1a of the standard shall apply to fire-resistive construction.~~
~~(2) Exception: If in the judgment of the state or local fire enforcement authorities nonfire-resistive hoistway enclosures and landing door assemblies are safe, approval for their continued use may be secured from the department.~~
~~(3) Nonfire-resistive enclosures shall be a minimum of 6 feet in height from each floor or landing and above the treads or adjacent stairways. Enclosure shall be so supported and braced as to deflect not over 1 inch when subjected to a force of 100 pounds and if of openwork construction shall be of noncombustible material and reject a ball 2 inches in diameter.~~//

R 408.8282 **Rescinded.**//~~Machinery spaces.~~
~~Rule 282. (1) A permanent, safe, and convenient means of access to machine rooms and overhead machinery spaces shall be provided for authorized persons. Where the machine is located over the hoistway, a floor or working platform shall be provided of a strength and type of construction approved by the department.~~
~~(2) Access to elevator machinery spaces from the hoistway is prohibited.~~
~~(3) Enclosure construction of machinery spaces located outside the hoistway shall be approved by the department.~~//

R 408.8283 **Rescinded.**//~~Hoisting machine supports.~~
~~Rule 283. Overhead machinery shall be supported from the underside, as approved by the department. Suspension by hooks, cables, chains, or similar devices shall be prohibited.~~//

R 408.8284 **Rescinded.**//~~Hoistway entrance protection.~~
~~Rule 284. Entrances shall be provided with hoistway landing doors with structural requirements not less than those required for the hoistway enclosure. Hoistway landing doors shall be provided with approved mechanical locks and electric contacts.~~//

R 408.8285 **Rescinded.**//~~Plugged door locks.~~
~~Rule 285. The department shall require the relocation of car gate contacts, hoistway door, or gate contacts or interlocks where such devices are found tied or blocked so as to render them inoperative.~~//

R 408.8286 **Rescinded.**//~~Guide rails.~~
~~Rule 286. (1) Cars and counterweights shall be provided with guide rails of steel or straight grained seasoned wood free from knots, shakes, dry rot, or other structural imperfections.~~
~~(2) Guide rails shall be securely fastened and shall not deflect more than 1/8 inch. Guide rails shall withstand the application of the safety when stopping the car at rated speed with rated load.~~//

R 408.8287 **Rescinded.**//~~Car frames and enclosures.~~
~~Rule 287. (1) Car frames shall be of a type of construction approved by the department.~~

~~(2) Cars shall be fully enclosed to a height of at least 6 feet on the sides not used for an entrance. The car cage or platform shall have headroom of not less than 6 feet 6 inches.~~
~~(3) Car enclosures shall be illuminated.~~
~~(4) Car gates or doors shall be provided and equipped with approved car gate or door electric contacts where the hoistway is not enclosed throughout its height.~~//

R 408.8288 **Rescinded.**//~~Car safety devices.~~
~~Rule 288. (1) Car safety devices shall be provided.~~
~~(2) Section 205 of the ASME code shall apply to car safety devices.~~//

R 408.8289 **Rescinded.**//~~Capacity and speed.~~
~~Rule 289. (1) The rated load shall be not more than 1/2 of the rated capacity of the hoisting machine.~~
~~(2) The area of the platform shall be in proportion to the rated capacity of the machine as approved by the department.~~//

R 408.8290 **Rescinded.**//~~Driving machines and sheaves.~~
~~Rule 290. (1) A driving machine shall be of the drum, traction, or direct connected plunger hydraulic type.~~
~~(2) An elevator having a winding drum machine shall be provided with a slack rope device equipped with a slack rope switch of the enclosed manually reset type which shall cause the electric power to be removed from the elevator driving machine motor and brake if the hoisting ropes become slack.~~
~~(3) Driving and deflecting sheaves shall be of metal. The diameter of sheaves shall not be less than 30 times the diameter of the hoisting cables. Where 8 x 19 steel cables are used this multiple may be reduced to 21.~~//

R 408.8291 **Rescinded.**//~~Brakes.~~
~~Rule 291. (1) An electric hoisting machine shall be provided with electrically released spring applied brakes.~~
~~(2) Manually operated brakes are prohibited.~~//

R 408.8292 **Rescinded.**//~~Hydraulics.~~
~~Rule 292. Plunger stops and relief valves are not required.~~//

R 408.8293 **Rescinded.**//~~Operating and stopping devices.~~
~~Rule 293. (1) Operating devices shall be of the enclosed electrical type and shall be located on the landing side of the hoistway only.~~
~~(2) Upper and lower normal terminal stopping devices shall be provided and arranged to slow down and stop the car automatically, at or near the top and bottom terminal landings, with any load up to and including rated load in the car and from any speed attained in normal operation. Such devices shall function independently of the operation of the operating device. The device shall be so designed and installed that it will continue to function until the car reaches its extreme limits of travel.~~//

R 408.8294 **Rescinded.**//~~Suspension means.~~
~~Rule 294. (1) Suspension means shall be as follows:~~
~~(a) The minimum number of hoisting cables used shall be 2.~~
~~(b) Where a car counterweight is used, the number of counterweight cables used shall be not less than 2.~~
~~(c) The factors of safety shall not be less than shown in rule 212.3 of the standard.~~

~~(d) The car and counterweight ends of car and counterweight wire cables, or the stationary hitch ends where multiple cabling is used, shall be fastened so that all portions of the cable except the portion inside the cable sockets are readily visible.~~
~~(2) Fastenings shall be:~~
~~(a) By individual tapered babbitted cable sockets or nondeforming cable clamps with cable thimbles. U-bolt type cable clips or clamps are prohibited.~~
~~(b) The car ends, or the car or counterweight dead ends where multiple cabling is used, of all suspension wire cables of traction type elevators shall be provided with rods of a design which will permit individual adjustment of the cable length.~~//

R 408.8295 **Rescinded.**//~~Access to pits.~~
~~Rule 295. (1) Safe and convenient access shall be provided to all pits, and shall conform to the following:~~
~~(a) Access may be by means of the lowest hoistway door or by means of a separate pit access door.~~
~~(b) Access to pits extending more than 4 feet below the sill of the pit access door shall be provided by means of fixed vertical ladders of incombustible material, located within reach of the access door. The ladder shall extend not less than 30 inches above the sill of the access door, or hand grips shall be provided to the same height.~~
~~(c) Access to pits of elevators in multiple hoistways shall not be by means of a single hoistway door and ladder.~~
~~(d) Pits shall be accessible only to authorized persons.~~
~~(2) Where a separate pit access door is provided, it shall be self closing and provided with a spring type lock arranged to permit the door to be opened from inside the pit without a key. Such doors shall be kept locked.~~//

R 408.8296 **Rescinded.**//~~Illumination of pits.~~
~~Rule 296. A permanent lighting fixture shall be provided in a pit which shall provide an illumination of not less than 5 foot candles at the pit floor. A light switch shall be provided and so located as to be accessible from the pit access door.~~//

R 408.8301 **Rescinded.**//~~Hoistways and hoistway enclosures.~~
~~Rule 301. (1) Rule 100.1a of the standard shall apply to fire resistive construction.~~
~~(2) Exception: If in the judgment of the state or local fire enforcement authorities nonfire resistive hoistway enclosures and landing door assemblies are safe, approval for their continued use may be secured from the department.~~
~~(3) Nonfire resistive enclosures shall be a minimum of 6 feet in height from each floor or landing and above the treads of adjacent stairways. Enclosures shall be so supported and braced as to deflect not over 1 inch when subjected to a force of 100 pounds and if of openwork construction shall be of noncombustible material and reject a ball 2 inches in diameter.~~//

R 408.8302 **Rescinded.**//~~Machinery spaces.~~
~~Rule 302. (1) A permanent, safe, and convenient means of access to machine rooms and overhead machinery spaces shall be provided for authorized persons. Where the machine is located over the hoistway, a floor or working platform shall be provided of a strength and type of construction approved by the department.~~
~~(2) Access to elevator machinery space from the hoistway is prohibited.~~

~~(3) Enclosure construction of machinery spaces located outside the hoistway shall be approved by the department.~~//

R 408.8303 **Rescinded.**//~~Hoisting machine supports.~~
~~Rule 303. Overhead machinery shall be fastened as approved by the department. Open hooks shall be prohibited.~~//

R 408.8304 **Rescinded.**//~~Hoistway entrance protection.~~
~~Rule 304. (1) Entrances shall be provided with hoistway landing doors with structural requirements not less than those required for the hoistway enclosure.~~
~~(2) Hoistway landing doors shall be provided with approved mechanical locks and electric contacts.~~//

R 408.8305 **Rescinded.**//~~Plugged door locks.~~
~~Rule 305. The department shall require the relocation of car gate contacts, hoistway door or gate contacts or interlocks where such devices are found tied or blocked so as to render them inoperative.~~//

R 408.8306 **Rescinded.**//~~Guide rails.~~
~~Rule 306. (1) Cars and counterweights shall be provided with guide rails of steel or straight grained seasoned wood free from knots, shakes, dry rot, or other structural imperfections.~~
~~(2) Guide rails shall be securely fastened and shall not deflect more than 1/8 inch.~~//

R 408.8307 **Rescinded.**//~~Car frames and enclosures.~~
~~Rule 307. (1) Car frames shall be of a type of construction approved by the department.~~
~~(2) Car shall be enclosed to a height sufficient to contain the load.~~
~~(3) Car enclosures shall be illuminated.~~
~~(4) Car gates and doors shall be provided and equipped with approved car gate or door electric contacts where the hoistway is not enclosed throughout its height.~~//

R 408.8308 **Rescinded.**//~~Capacity and speed.~~
~~Rule 308. (1) The rated load shall be not more than 1/2 of the rated capacity of the hoisting machine.~~
~~(2) The area of the platform shall be in proportion to the rated capacity of the machine as approved by the department.~~
~~(3) The maximum speed shall not exceed 50 feet per minute.~~//

R 408.8309 **Rescinded.**//~~Driving machines and sheaves.~~
~~Rule 309. (1) A driving machine shall be of the drum, traction or hydraulic type.~~
~~(2) Driving and deflecting sheaves shall be of metal. The diameter of sheaves shall not be less than 30 times the diameter of the hoisting cables. Where 8 x 19 steel cables are used this multiple may be reduced to 21.~~//

R 408.8310 **Rescinded.**//~~Brakes.~~
~~Rule 310. (1) An electric hoisting machine shall be provided with electrically released spring applied brakes. Approved existing mechanical brakes may be retained.~~
~~(2) Manually operated brakes are prohibited.~~//

R 408.8311 **Rescinded.**//~~Hydraulics.~~
~~Rule 311. Plunger stops and relief valves are not required.~~//

R 408.8312 **Rescinded.**//~~Operating and stopping devices.~~

~~Rule 312. (1) Operating devices shall be of the enclosed electrical type and shall be located on the landing side of the hoistway only.~~

~~(2) Upper and lower normal terminal stopping devices shall be provided and arranged to slow down and stop the car automatically, at or near the top and bottom terminal landings, with any load up to and including rated load in the car and from any speed attained in normal operation. Such devices shall function independently of the operation of the operating device. The device shall be so designed and installed that it will continue to function until the car reaches the extreme limits of travel.~~//

R 408.8313 **Rescinded.**//~~Suspension means.~~

~~Rule 313. (1) Suspension means on installations subsequent to June 14, 1957, shall be as follows:~~

~~(a) The minimum number of hoisting cables used shall be 2.~~

~~(b) Where a car counterweight is used, the number of counterweight cables used shall be not less than 2.~~

~~(c) The factors of safety shall not be less than shown in rule 212.3 of the standard.~~

~~(d) The car and counterweight ends of car and counterweight wire cables, or the stationary hitch ends where multiple cabling is used, shall be fastened in such a manner that all portions of the cable except the portion inside the cable sockets shall be readily visible.~~

~~(2) Fastenings shall be:~~

~~(a) By individual tapered babbitted cable sockets or nondeforming cable clamps with cable thimbles. U-bolt type cable clips or clamps are prohibited.~~

~~(b) The car ends, or the car or counterweight dead ends where multiple cabling is used, of all suspension wire cables of traction type elevators shall be provided with rods of a design which will permit individual adjustment of the cable length.~~

~~(3) Chains as a means of suspension may be retained on installations made prior to June 14, 1957.~~//

R 408.8321 **Rescinded.**//~~Nonfire-resistive enclosures.~~

~~Rule 321. Hoistway enclosures of wood or metal shall be provided on all landings accessible to the public. Enclosures may be of openwork construction and shall be of at least no. 13 gauge wire that rejects a 2-inch ball. Enclosures shall be a minimum of 6 feet in height from each floor or landing and above the treads of adjacent stairways.~~//

R 408.8322 **Rescinded.**//~~Sheaves, supports, and cables.~~

~~Rule 322. (1) Sheaves shall be securely fastened. Supports for driving sheaves shall be sufficient to sustain the weight of the car, weight of the counterweight and rated load.~~

~~(2) The hoisting cables shall be of a length that will allow the counterweight to land before the car crosshead is within 12 inches from striking the overhead sheave supports. Sheaves shall be of the traction type.~~//

R 408.8323 **Rescinded.**//~~Car and counterweight top and bottom clearances.~~

~~Rule 323. (1) Top car and counterweight clearances shall be a minimum of 12 inches.~~

~~(2) Car and counterweight bottom runby is not required.~~//

R 408.8324 **Rescinded.**//~~Landing openings and hoistway doors.~~

~~Rule 324. (1) Where enclosures are required, landing doors shall be provided of a strength equal to or stronger than the requirements for the enclosures.~~

~~(2) Hoistway doors shall be so arranged that they may be opened by authorized persons by hand from the hoistway side when the car is at the landing.~~//

R 408.8325 **Rescinded.**//~~Cars.~~
~~Rule 325. (1) Approved car buffers shall be provided.~~
~~(2) Car enclosures are not required.~~
~~(3) Car safeties shall be of the type operated as a result of the breakage of the hoist cables and shall engage both rails simultaneously. This type of safety shall be tested by obtaining the necessary slack rope to cause it to function with rated load on the car. This test shall be performed every 12 months or every 6 months if exposed to the weather.~~//

R 408.8326 **Rescinded.**//~~Brakes.~~
~~Rule 326. A foot brake operated by a spring designed to apply automatically when the operator's foot is removed from the brake pedal shall be provided. The brakes shall engage both guide rails.~~//

R 408.8327 **Rescinded.**//~~Hoisting cables.~~
~~Rule 327. (1) Only iron (low carbon steel) or steel wire cables with fibre cores, having the commercial classification "elevator wire cable," shall be used for suspension of elevator cars and suspension of counterweights. The wire material for cables shall be manufactured by the open-hearth or electric-furnace process or their equivalent.~~
~~(2) Suspension means shall be not less than 2-3/8 inch diameter cables.~~
~~(3) Exception: A single cable of approved material may be retained until the crosshead is replaced.~~
~~(4) Cables shall be fastened in an approved manner.~~//

R 408.8328 **Rescinded.**//~~Signs.~~
~~Rule 328. Signs reading "EMPLOYEES ONLY" with letters no less than 2 inches in height, shall be provided at all entrances.~~//

R 408.8329 **Rescinded.**//~~Counterweight enclosures.~~
~~Rule 329. A counterweight located outside the hoistway shall be enclosed throughout its travel. If located inside the hoistway, it shall be guided. A fully enclosed counterweight shall be provided with a removable panel at the bottom landing to allow for maintenance and inspection of the counterweight and hitch.~~//

R 408.8341 **Rescinded.**//~~Rules applicable.~~
~~Rule 341. An existing incline lift shall meet the requirements of these rules for a new incline lift.~~//

R 408.8361 **Rescinded.**//~~One-man electric powered.~~
~~Rule 361. An existing 1-man electric powered elevator shall meet the requirements of these rules for a new 1-man electric powered elevator.~~//

R 408.8362 **Rescinded.**//~~Escalators.~~
~~Rule 362. Section 800 of the standard shall apply to escalators.~~//

R 408.8363 **Rescinded.**//~~Belt manlifts.~~
~~Rule 363. An existing belt manlift shall meet the requirements of these rules for a new belt manlift.~~//

R 408.8364 **Rescinded.**//~~Sidewalk elevators.~~
~~Rule 364. (1) Rules 400.2, 401.2, 401.3, 401.4, 401.4b, 401.5, 401.6, and 401.10 of the ASME code shall apply to sidewalk elevators.~~
~~(2) No one shall be permitted to ride a sidewalk elevator.~~
~~(3) A sidewalk elevator shall be operated in both directions by a switch on the sidewalk or other exterior area only. Operation shall be with a key operated continuous pressure type switch with key removable only when the switch is in the "off" position.~~//

R 408.8365 **Rescinded.**//~~Dumbwaiters.~~
~~Rule 365. Section 700.0 of the standard shall apply to dumbwaiters as the department deems necessary for their safe operation.~~//

//~~PART III. NEW INSTALLATIONS~~//

R 408.8401 **Rescinded.**//~~Applicability of rules and manual.~~
~~Rule 401. The following sections outline the minimum requirements, regular maintenance and approved safety practices for elevators as defined in section 3 of the act. All other approved existing features or components of the elevator shall be in compliance with these rules and shall be maintained as described in the American standard inspectors' manual ASME/ANSI A17.2-1988 and ASME/ANSI A17.2a-1989 addenda, published by the American society of mechanical engineers, a copy of which is on file in the Lansing office of the department of consumer and industry services and which is available for public inspection.~~//

R 408.8403 **Rescinded.**//~~Applicability of sections of the ASME code.~~
~~Rule 403. The following sections of the ASME code shall apply to inclined lifts, 1-man hand powered elevators, 1-man electric powered elevators, workmen's elevators, and belt manlifts:~~
~~(a) Electric Wiring ..... section 102.~~
~~(b) Hydraulic Piping and Fittings ..... section 300.~~
~~(c) Safety Tests ..... section 1000.~~
~~(d) Maintenance and Repairs ..... sections 1000 and 1001.~~
~~(e) Alterations sections 1100, 1101, and 1102.~~//

R 408.8411 **Rescinded.**//~~Passenger elevators.~~
~~Rule 411. Rules promulgated by the board and the ASME code shall apply to passenger elevators.~~//

R 408.8415 **Rescinded.**//~~Freight elevators.~~
~~Rule 415. Rules promulgated by the board and the ASME code shall apply to freight elevators.~~//

R 408.8421 **Rescinded.**//~~Applicability.~~
~~Rule 421. This portion of the rules applies to hand powered, 1-man elevators used in grain mills, grain storage buildings, signal towers, chemical works, and other buildings where it is necessary to have a 1-man elevator and where conformity to the requirements for passenger elevators would impose difficulty or hardship not warranted because of their limited use. One-man elevators shall not be accessible to the general public and shall be limited to use by the employees only.~~//

R 408.8422 **Rescinded.**//~~Hoistways and hoistway enclosures.~~
~~Rule 422. Rule 100.1 of the standard shall apply to hoistways and hoistway enclosures.~~//

R 408.8423 **Rescinded.**//~~Sheave supports.~~

~~Rule 423. Sheaves shall be securely fastened and supported with a factor of safety as follows:~~

~~(a) For steel ..... 5~~

~~(b) For timber and reinforcing concrete ..... 6~~//

R 408.8424 **Rescinded.**//~~Pits and spaces below hoistways.~~

~~Rule 424. (1) A pit of at least 12 inches in depth shall be provided below the lowest landing.~~

~~(2) Exception: If a hardship is created because of construction of the building, the department may approve the landing opening 12 inches above the building floor level, if a permanent ramp or steps from the building floor level to the lowest hoistway landing entrance is provided.~~

~~(3) Section 109 of the standard shall apply to protection of spaces below hoistways.~~//

R 408.8425 **Rescinded.**//~~Car and counterweight clearances.~~

~~Rule 425. (1) When a car platform is level with the lowest landing, the car buffer striker plates shall not be in contact with the buffers.~~

~~(2) When the car platform is level with the top landing there shall be at least 24 inches between the top of the car crosshead and the nearest obstruction.~~

~~(3) When the counterweights are resting on their buffers, there shall be at least 18 inches between the top of the car crosshead and the nearest obstruction.~~

~~(4) When the car is resting on its buffers, there shall be at least 6 inches clearance between the top of the counterweight and the nearest obstruction.~~

~~(5) Section 108 of the standard shall apply to horizontal car and counterweight clearances.~~//

R 408.8426 **Rescinded.**//~~Landing openings and thresholds.~~

~~Rule 426. (1) Section 110 of the standard shall apply to the protection of landing openings.~~

~~(2) A landing threshold shall be constructed and maintained to render it skid resistant. Illumination on the landing threshold shall be not less than 1 footcandle.~~//

R 408.8427 **Rescinded.**//~~Hoistway door or gate locking and closing devices.~~

~~Rule 427. Hoistway doors and gates shall be self-closing and shall be provided with spring-type latches to hold them in the closed position. Latches shall be released only by the car when the car is in the landing zone.~~//

R 408.8428 **Rescinded.**//~~Car and counterweight guide rails, supports, fastenings, and buffers.~~

~~Rule 428. (1) Cars and counterweights shall be provided with guide rails of steel or straight grained seasoned wood free from knots, shakes, dry rot, or other structural imperfections.~~

~~(2) Guide rails shall be securely fastened with through bolts or clips of strength, design and spacing as follows:~~

~~(a) The guide rails and their fastenings shall not deflect more than 1/4 inch.~~

~~(b) The guide rails and their fastenings shall withstand the application of the safety, when stopping the car with rated load or when stopping the counterweight.~~

~~(c) Car and counterweight guide rails shall rest on suitable supports and extend at the top of the hoistway to prevent the guide shoes from running off the guide rails in case the car or counterweight travels beyond the terminal landings.~~

~~(3) Section 201 of the standard shall apply to car and counterweight buffers.~~//

R 408.8429 **Rescinded.**//~~Counterweights.~~

~~Rule 429. Adequate counterweights shall be provided to maintain proper weight relationship between the counterweight and the car to operate the car efficiently. Sections of counterweights shall be carried in frames or secured between rails to prevent dislodgment throughout the length of travel.~~//

R 408.8430 **Rescinded.**//~~Car frames and platforms.~~

~~Rule 430. A car frame and platform shall be of metal or sound, seasoned wood. Frame members shall be securely bolted and braced. With a uniformly distributed rated load the factor of safety shall not be less than 4 for metal and 6 for wood.~~//

R 408.8431 **Rescinded.**//~~Car enclosures.~~

~~Rule 431. A car shall be enclosed on the sides not used for entrance. The car enclosure shall have headroom of not less than 6 feet 6 inches. The deflection of the enclosure shall be not more than 1/4 inch when subjected to a force of 75 pounds applied perpendicularly to the car enclosure at any point. The enclosure shall be secured to the car platform or frame in such a manner that it cannot work loose or become displaced in normal operation.~~//

R 408.8432 **Rescinded.**//~~Car entrance protection.~~

~~Rule 432. A car entrance shall be protected with a door or gate, and when in a closed position shall guard the full width of the car opening. The door or gate shall extend from a point not more than 1 inch above the car floor to a point at least 6 feet above the car floor, and when in a closed position shall reject a ball 3 inches in diameter.~~//

R 408.8433 **Rescinded.**//~~Emergency exits.~~

~~Rule 433. A car shall be provided with an emergency exit providing egress from the car to the emergency ladder from any location in the hoistway.~~//

R 408.8434 **Rescinded.**//~~Emergency ladders.~~

~~Rule 434. An emergency exit metal ladder shall:~~

~~(a) Be permanently installed in the hoistway continuous from the pit to the machine room. To protect the individual from the descending car, the ladder shall be designed and installed in an approved location.~~

~~(b) Be accessible from the car enclosure.~~

~~(c) Have rails not less than 2 inches by 1/2 inch and at least 16 inches apart.~~

~~(d) Have rails supported at intervals of not less than 10 feet.~~

~~(e) Have rails extending not less than 45 inches above machine room or roof line.~~

~~(f) Have rungs securely fastened in position.~~

~~(g) Have rungs with a diameter of not less than 7/8 inch and 12 inches apart.~~

~~(h) Have a top rung within 6 inches of the level of the machine room or roof line.~~//

R 408.8435 **Rescinded.**//~~Car safety devices and governors.~~

~~Rule 435. (1) The car safety device shall be operated as a result of the breakage of the hoist cables or by a speed governor and be capable of stopping and sustaining car with the rated load.~~

~~(2) The applicable sections of rule 205.8a of the standard shall apply to governors.~~

~~(3) Rule 206.5 of the standard shall apply to governor cables.~~

~~(4) The governor shall be located where it cannot be struck by the car or counterweight in case of over-travel.~~

~~(5) Upon breakage of a hoist cable, broken rope safety devices shall operate without delay and shall engage both rails simultaneously.~~//

R 408.8436 **Rescinded.**//~~Capacity.~~
~~Rule 436. The rated load shall not exceed 300 pounds.~~//

R 408.8437 **Rescinded.**//~~Platform areas.~~
~~Rule 437. The inside net platform area shall not exceed 5 square feet.~~//

R 408.8438 **Rescinded.**//~~Driving sheaves.~~
~~Rule 438. (1) The driving sheave shall be of the traction type. The cable grooves shall be machined.~~
~~(2) The driving sheave and deflecting sheave shall be of cast iron or steel.~~
~~(3) The driving sheave and deflecting sheave shall be of a diameter of not less than 30 times the diameter of the hoisting cable, except where 8 by 19 cables are used, the diameter of the sheaves may be reduced to 21 times the diameter of the cable.~~
~~(4) Rule 208.3 of the standard shall apply to the factor of safety.~~
~~(5) Set-screw fastenings shall not be used in lieu of keys or pins if the connection is subject to torque or tension.~~
~~(6) A friction-gearing or clutch mechanism is prohibited.~~
~~(7) A worm gearing having cast-iron teeth is prohibited.~~//

R 408.8439 **Rescinded.**//~~Brakes.~~
~~Rule 439. (1) A foot brake shall be provided operated by a spring designed to apply automatically when the operator's foot is removed from the brake pedal.~~
~~(2) The brakes shall engage both guide rails.~~//

R 408.8440 **Rescinded.**//~~Hoisting cables.~~
~~Rule 440. (1) Only iron (low carbon steel) or steel wire cables which have fibre cores and which have the commercial classification of "elevator wire cable" shall be used for the suspension of elevator cars and counterweights. The wire material for cables shall be manufactured by the open-hearth or electric furnace process or equivalent.~~
~~(2) Suspension means shall be not less than 2 iron or steel wire 3/8-inch diameter cables.~~
~~(3) Section 512 of the ASME code shall apply to the factor of safety, arc of contact, and method of fastening.~~//

R 408.8441 **Rescinded.**//~~Data plates and signs.~~
~~Rule 441. (1) A permanent metal plate shall be placed upon the landing side of the crosshead of an elevator and bear the following information:~~
~~(a) The total weight of the car, including the safeties.~~
~~(b) The cable data required by rule 212.2a of the standard.~~
~~(2) A permanent metal sign reading "EMPLOYEES ONLY," with block letters not less than 2 inches in height shall be displayed at the ground floor landing.~~//

R 408.8451 **Rescinded.**//~~Applicability.~~
~~Rule 451. This portion of the rules applies to electric powered elevators used in grain mills, grain storage buildings, signal towers, chemical works and other buildings where it is necessary to have a 1-man elevator and where conformity to the requirements for passenger elevators would impose difficulty~~

~~or hardship not warranted because of their limited use. One-man elevators shall not be accessible to the general public and shall be limited to use by employees only.~~//

R 408.8452 **Rescinded.**//~~Hoistways and hoistway enclosures.~~
~~Rule 452. Section 100 of the standard shall apply to hoistways and hoistway enclosures.~~//

R 408.8453 **Rescinded.**//~~Counterweights.~~
~~Rule 453. (1) Counterweights shall be provided and constructed as follows:~~
~~(a) Counterweights shall compensate the total weight of the car, plus 40% of rated capacity.~~
~~(b) Sections of counterweights, whether carried in frames or not, shall be secured by at least 1 tie rod passing through the holes in the sections. The tie rods shall have locknuts secured by cotter pins at each end.~~
~~(2) Counterweights shall be located in the hoistway of the elevator which they serve.~~
~~(3) Counterweight pit guards shall extend from a point 12 inches above the pit floor to a point not less than 7 feet not more than 8 feet above such floor, and shall be fastened to a metal reinforced frame equal in strength and rigidity to no. 14 U.S. gauge sheet steel.~~//

R 408.8454 **Rescinded.**//~~Guarding of exposed equipment.~~
~~Rule 454. Section 104 of the standard shall apply to guarding of exposed equipment.~~//

R 408.8455 **Rescinded.**//~~Machinery and sheave beams, supports, and foundations.~~
~~Rule 455. Section 105 of the standard shall apply to machinery and sheave beams, supports, and foundations.~~//

R 408.8456 **Rescinded.**//~~Pits and spaces below hoistways.~~
~~Rule 456. (1) A pit of at least 12 inches in depth shall be provided below the lowest landing.~~
~~(2) Section 109 of the standard shall apply to spaces below hoistways.~~
~~(3) Exception: If a hardship is created because of construction of the building, the department may approve the landing opening 12 inches above the building floor level if a permanent ramp or steps from the building floor level to the lowest hoistway landing entrance is provided.~~//

R 408.8457 **Rescinded.**//~~Car and counterweight clearances.~~
~~Rule 457. (1) When the car platform is level with the lowest landing, the car buffer striker plates shall not be in contact with the buffers.~~
~~(2) When the car platform is level with the top landing there shall be at least 24 inches between the top of the car crosshead and the nearest obstruction.~~
~~(3) When the counterweights are resting on their buffers there shall be at least 18 inches between the top of the car crosshead and the nearest obstruction.~~
~~(4) When the car is resting on its buffers there shall be at least 6 inches clearance between the top of the counterweights and the nearest obstruction.~~
~~(5) Section 108 of the standard shall apply to horizontal car and counterweight clearances.~~//

R 408.8458 **Rescinded.**//~~Landing openings and thresholds.~~
~~Rule 458. (1) Rule 110.1 of the standard shall apply to protection of landing openings of fire-resistive hoistways.~~
~~(2) Rule 100.1c of the standard shall apply to protection of landing openings of nonfire-resistive hoistways.~~

~~(3) A landing threshold shall be skid resistant.~~
~~(4) The illumination on a landing threshold shall be not less than 1 footcandle.~~//

R 408.8459 **Rescinded.**//~~Locking devices.~~
~~Rule 459. Rules 111.4b, 111.4c, and 111.4d of the standard shall apply to locking devices.~~//

R 408.8460 **Rescinded.**//~~Power operation of doors and gates.~~
~~Rule 460. Section 112 of the standard shall apply to power operation of hoistway doors and car doors and gates.~~//

R 408.8461 **Rescinded.**//~~Car and counterweight guide rails, guard supports, and fastenings.~~
~~Rule 461. (1) Cars and counterweights shall be provided with guide rails of steel or straight grained seasoned wood free from knots, shakes, dry rot, or other structural imperfections.~~
~~(2) Guide rails shall be securely fastened with through bolts or clips of strength, design and spacing as follows:~~
~~(a) Guide rails and their fastenings shall not deflect more than 1/4 inch under normal operation.~~
~~(b) Guide rails and their fastenings shall withstand the application of the safety when stopping the car with rated load or when stopping the counterweight.~~
~~(c) Guide rails shall rest on suitable supports and extend at the top of the hoistway to prevent the guide shoes from running off the guide rails in case the car or counterweight travels beyond the terminal landings.~~//

R 408.8462 **Rescinded.**//~~Car and counterweight buffers.~~
~~Rule 462. Section 201 of the standard shall apply to car and counterweight buffers.~~//

R 408.8463 **Rescinded.**//~~Car frames, platforms, and enclosures.~~
~~Rule 463. (1) A car frame and platform shall be of metal or sound, seasoned wood. Frame members shall be securely bolted and braced. With a uniformly distributed rated load the factor of safety shall not be less than 4 for metal and 6 for wood.~~
~~(2) A car shall be enclosed on the sides not used for entrance. The car enclosure shall have headroom of not less than 6 feet 6 inches. The deflection of the enclosure shall be not more than 1/4 inch when subjected to a force of 75 pounds applied perpendicularly to the car enclosure at any point. The enclosure shall be secured to the car platform or frame in such a manner that it cannot work loose or become displaced in normal operation.~~//

R 408.8464 **Rescinded.**//~~Car entrance protection.~~
~~Rule 464. A car entrance shall be protected with a door or gate that, when in a closed position, shall guard the full width of the car opening. The door or gate shall extend from a point not more than 1 inch above the car floor to a point at least 6 feet above the car floor, and when in a closed position shall reject a ball 3 inches in diameter.~~//

R 408.8465 **Rescinded.**//~~Illumination.~~
~~Rule 465. An electric light shall be provided with a switch located adjacent to the control panel. Lamps shall be equipped with substantial guards to prevent breakage.~~//

R 408.8466 **Rescinded.**//~~Emergency signals and exits.~~

~~Rule 466. (1) An elevator shall be provided with an electric signal bell clearly audible outside the hoistway, and operated from inside of the car.~~
~~(2) A car shall be provided with an emergency exit providing egress from the car to the emergency ladder from any location in the hoistway.~~//

R 408.8467 **Rescinded.**//~~Emergency ladders.~~
~~Rule 467. An emergency exit metal ladder shall:~~
~~(a) Be permanently installed in the hoistway continuous from the pit to the machine room. To protect the individual from the descending car, the ladder shall be designed and installed in an approved location.~~
~~(b) Be accessible from the car enclosure.~~
~~(c) Have rails not less than 2 inches by 1/2 inch and at least 16 inches apart.~~
~~(d) Have rails supported at intervals of not less than 10 feet.~~
~~(e) Have rails extending not less than 45 inches above machine room or roof line.~~
~~(f) Have rungs securely fastened in position.~~
~~(g) Have rungs with a diameter of not less than 7/8 inch and 12 inches apart.~~
~~(h) Have a top rung within 6 inches of the level of the machine room or roof line.~~//

R 408.8468 **Rescinded.**//~~Car safety devices and governors.~~
~~Rule 468. Sections 205 and 206 of the standard shall apply to car safety devices and governors.~~//

R 408.8469 **Rescinded.**//~~Capacity.~~
~~Rule 469. The rated load shall not exceed 300 pounds.~~//

R 408.8470 **Rescinded.**//~~Platform areas.~~
~~Rule 470. The inside net platform area shall not exceed 5 square feet.~~//

R 408.8471 **Rescinded.**//~~Speed.~~
~~Rule 471. The rated speed shall not exceed 100 feet per minute.~~//

R 408.8472 **Rescinded.**//~~Driving machines.~~
~~Rule 472. (1) A driving machine shall be of the traction type. The cable grooves shall be machined.~~
~~(2) Rule 208.3 of the standard shall apply to the factor of safety.~~
~~(3) Set-screw fastenings shall not be used in lieu of keys or pins if the connection is subject to torque or tension.~~
~~(4) The machine shall be designed for manual operation by means of a crank in the event of power failure. A suitable crank shall be provided near the machine.~~
~~(5) A friction-gearing or clutch mechanism is prohibited.~~
~~(6) A worm gearing having cast-iron teeth is prohibited.~~//

R 408.8473 **Rescinded.**//~~Sheaves.~~
~~Rule 473. (1) The driving sheave and deflecting sheaves shall be of cast iron or steel.~~
~~(2) The driving sheave and deflecting sheaves shall be of a diameter of not less than 30 times the diameter of the hoisting cable.~~
~~(3) Exception: Where 8 x 19 steel cables are used, the diameter of the sheaves may be reduced to 21 times the diameter of the cable.~~
~~(4) Rule 208.3 of the standard shall apply to the factor of safety.~~

~~(5) Set-screw fastenings shall not be used in lieu of keys or pins if the connection is subject to torque or tension.~~//

R 408.8474 **Rescinded.**//~~Hoisting machine brakes.~~
~~Rule 474. (1) Machines shall be equipped with electrically-released spring-applied brakes.~~
~~(2) A single ground or short circuit, a counter-voltage, or a motor field discharge shall not prevent the brake magnet from allowing the brake to set when the operating device is placed in the stop position.~~//

R 408.8475 **Rescinded.**//~~Terminal stopping devices.~~
~~Rule 475. Section 209 of the standard shall apply to terminal stopping devices.~~//

R 408.8476 **Rescinded.**//~~Operation, operation devices, and control equipment.~~
~~Rule 476. (1) Section 508 of the ASME code shall apply to operation, operation devices, and control equipment.~~
~~(2) Hand cable operation is prohibited.~~//

R 408.8477 **Rescinded.**//~~Hoisting cables.~~
~~Rule 477. (1) Only iron (low carbon steel) or steel wire cables which have fibre cores and which have a commercial classification of "elevator wire cable" shall be used for the suspension of elevator cars and counterweights. The wire material for cables shall be manufactured by the open-hearth or electric furnace process or equivalent.~~
~~(2) Suspension means shall be not less than 2 iron or steel wire 3/8-inch diameter cables.~~
~~(3) Section 512 of the ASME code shall apply to the factor of safety, arc of contact, and method of fastening.~~//

R 408.8478 **Rescinded.**//~~Data plates and signs.~~
~~Rule 478. (1) A metal plate shall be placed upon the landing side of the crosshead of each elevator bearing the following information:~~
~~(a) The total weight of the car, including safeties.~~
~~(b) The contract car speed in feet per minute at which the elevator is designed to travel.~~
~~(c) The cable data required by rule 212.2a.~~
~~(2) A permanent metal sign stating "EMPLOYEES ONLY," with block letters not less than 2 inches in height shall be displayed at the ground floor landing.~~//

R 408.8481 **Rescinded.**//~~Applicability of national standard and rules of board.~~
~~Rule 481. (1) The standards contained in the American national standards institute safety standards for manlifts, ANSI/ASME A90.1-1985 are adopted in these rules by reference as rules for belt manlifts in this state, with the exception of rules 1.1 and 1.2. These standards may be purchased at American National Standards Institute, 1430 Broadway, New York, New York 10018 or the Michigan Department of Labor, 7150 Harris Drive, Box 30255, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of $33.00. A copy of these standards and the general rules of the board are on file in the Lansing office of the department of labor and are available for public inspection.~~
~~(2) This rule and R 408.8483 apply to manlifts that are used only to carry plant personnel in granaries, flour mills, parking garages, and similar buildings or occupancies. Belt manlifts shall not be used by the public and, if located in buildings to which the public has access, shall be located in an enclosure that is protected by self-closing, spring-locked doors. Keys to the doors shall be available to employees. The use of belt manlifts during construction is prohibited.~~

~~(3) The hoistway enclosure shall be in compliance with the requirements of R 408.30101 et seq. and shall maintain the fire rating of the structure.~~//

R 408.8483 **Rescinded.**//~~Landings.~~
~~Rule 483. (1) Where the travel is 50 feet or more between floor landings, 1 or more emergency landings shall be provided so that there will be a landing for every 25 feet or less of manlift travel. Emergency landings shall be completely enclosed with an approved guard railing and toeboard.~~
~~(2) The travel of any single belt manlift installed after February 14, 1968, shall not exceed 100 feet.~~//

R 408.8511 **Rescinded.**//~~Applicability of national standard and rules of board.~~
~~Rule 511. The standards contained in the American national standards institute safety standards for personnel hoists, A10.4-1981, are adopted and incorporated herein by reference as rules for personnel hoists in this state with the exception of rules 6.2, 24.3.1, 26.4.8, and 26.4.8.1. These rules may be purchased from the American National Standards Institute, 1430 Broadway, New York, New York 10018, or the Michigan Department of Labor, 7150 Harris Drive, P.O. Box 30015, Lansing, Michigan 48909, at a cost of $7.75. A copy of these standards and the general rules of the board are on file in the Lansing office of the department of labor and are available for public inspection.~~//

R 408.8512 **Rescinded.**//~~Location.~~
~~Rule 512. (1) This kind of elevator shall be installed not less than 12 feet from any other lifting or lowering apparatus.~~
~~(2) A hoistway shall not be located either partially or wholly over sidewalks or passageways.~~//

R 408.8513 **Rescinded.**//~~Authorized uses.~~
~~Rule 513. (1) The only persons permitted to ride on a personnel hoist are workmen and other authorized personnel associated with the work being done.~~
~~(2) A personnel hoist may be used for carrying materials if it is designed and installed for the type of load to be used and if no passengers are carried during the time materials are being carried except those necessary to handle the materials.~~
~~(3) The load on a personnel hoist shall not exceed the maximum rated load established by the department.~~//

R 408.8514 **Rescinded.**//~~Hoistway doors and gates.~~
~~Rule 514. (1) Every hoistway door shall be equipped with an approved interlock.~~
~~(2) Sliding doors and gates shall be constructed of metal and shall be of a design which will reject a ball 1 1/2 inches in diameter.~~//

R 408.8515 **Rescinded.**//~~Winding drum machines.~~
~~Rule 515. Winding drum machines may be used irrespective of car travel if the drums are grooved for hoisting wire rope. Grooves shall be machine finished and shall be of the helical or parallel type. Only 1 layer of rope shall be permitted on the drum.~~//

R 408.8516 **Rescinded.**//~~Overhead protection.~~
~~Rule 516. A personnel hoist shall have overhead protection equivalent to 2-inch plank. The planks shall be secured. The exit cover shall be hinged and locked and open outward.~~//

R 408.8517 **Rescinded.**//~~Wire rope.~~

~~Rule 517. (1) Hoisting and counterweight wire ropes shall be attached to cars and counterweights by means of zinc-coated or galvanized dropforged nondeforming cable clamps and wire rope thimbles, or by approved special fastening devices.~~
~~(2) When extra wire rope is carried on top of the frame of the hoisting platform, a drum and clamp tie-down or equivalent type anchor device which will not damage or deform the wire rope shall be used.~~
~~(3) Approved babbitted rope sockets may be provided.~~//

R 408.8518 **Rescinded.**//~~Stop switches~~
~~Rule 518. An approved type stop switch that can be locked out of use when the operator leaves the car and that does not require manual resetting of the control panels shall be provided in the car of every personnel hoist.~~//

R 408.8519a **Rescinded.**//~~Permissible voltages in hoistway or on car.~~
~~Rule 519a. The maximum system or circuit potential permitted on any equipment in the hoistway or on the car shall be not more than 600 volts. Where the potential exceeds 120 volts, either a grounding conductor shall be incorporated in the traveling cable or a separate grounding conductor shall be installed. A visual indicator shall be included in the grounding circuit, so arranged as to indicate continuously the continuity of the grounding conductor. The type and size of the grounding conductor and the grounding fastening means shall conform to the requirements of ANSI/NFPA 70-1984, which is incorporated herein by reference. This code may be purchased from the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, or from the Michigan Department of Labor, Bureau of Construction Codes, State Secondary Complex, 7150 Harris Drive, P.O. Box 30015, Lansing, Michigan 48909, at a cost of $15.00 each. The grounding circuit shall include a device which will interrupt the electric circuit to the load in the event of a ground fault.~~//

R 408.8520 **Rescinded.**//~~Buffers.~~
~~Rule 520. Spring-type car and counterweight buffers shall be used for rated speeds not exceeding 300 feet per minute. For rated speeds of more than 200 feet per minute the buffer strokes shall conform to the following:~~
~~(a) 201-250 feet per minute—6-inch stroke.~~
~~(b) 251-300 feet per minute—9-inch stroke.~~//

R 408.8523a **Rescinded.**//~~Rated load safety test.~~
~~Rule 523a. A rated load safety test, as required by ANSI/A10.4, rule 26.2.1.1, shall be performed by a licensed elevator contractor in the presence of a general elevator inspector every 90 days.~~//

R 408.8524 **Rescinded.**//~~Limit of speed.~~
~~Rule 524. The rated speed shall not be more than 300 feet per minute.~~//

R 408.8525 **Rescinded.**//~~Signal devices.~~
~~Rule 525. One of the following signal systems shall be provided:~~
~~(a) An approved signal device shall be provided to enable persons on each landing to signal the operator to stop, and an emergency bell shall be provided to signal the operator to return to the bottom landing.~~
~~(b) An approved type voice communication system shall be provided between the car and landings and the project manager or job site superintendent's office.~~//

R 408.8531 **Rescinded.**//~~Frames and platforms.~~

~~Rule 531. Rule 2000.6a of the ASME A18.1 code is amended to read as follows:~~
~~2000.6a. The car frame shall be of metal construction and have a factor of safety of not less than 5 based on the rated load. The platform shall be of metal construction and have a nonskid surface. Construction shall be in compliance with the requirements of rules 204.1b and 204.1c of the ASME code. Any of the following shall be provided on each platform entrance:~~
~~(a) A solid door which is 42 inches high and which has an electric contact.~~
~~(b) Light rays that are provided at 3 inches and 12 inches above floor level.~~
~~(c) A proximity device that is effective from 1 inch above floor level to a height of 42 inches above floor level.~~
~~(d) Other types of devices approved by the board. The operation of the device shall remove the electric power from the motor and brake.~~//

R 408.8532 **Rescinded.**//~~Platform area.~~
~~Rule 532. Rule 2000.6c of the ASME code is amended to read as follows:~~
~~2000.6c. The platform shall have a clear floor area under the grab rail of not less than 32 inches wide by 54 inches long, shall have a total area of not more than 18 feet squared, and shall serve not more than 2 landings.~~//

R 408.8533 **Rescinded.**//~~Rated load, speed, and travel.~~
~~Rule 533. Rule 2000.7a of the ASME code is amended to read as follows: 2000.7a. The rated load shall be not less than 450 pounds nor more than 750 pounds. The lift shall be capable of sustaining and lowering a load as specified in rule 207.1 of the ASME code. The rated speed shall not be more than 15 feet per minute. The travel shall not be more than 12 feet nor penetrate a floor.~~//

R 408.8534 **Rescinded.**//~~Frames and platforms.~~
~~Rule 534. Rule 2001.6a of the ASME code is amended to read as follows:~~
~~2001.6a. (1) The car or platform frame shall be of metal construction and have a factor of safety of not less than 5 based on rated load. The platform shall be of metal construction and have a nonskid surface. Construction shall be in compliance with the requirements of rules 204.1b and 204.1c of the ASME code.~~
~~(2) The platform shall have a clear floor area under the grab rail of not less than 32 inches wide by 54 inches long, shall have a total area of not more than 18 feet squared, and shall serve not more than 2 landings.~~
~~(3) Metals that have an elongation of less than 20% in a length of 2 inches shall not be used in the construction of any member of the car frame or platform.~~
~~(4) Glass, where used, shall be in compliance with rule 204.1h of the ASME code.~~//

R 408.8535 **Rescinded.**//~~Platform guarding.~~
~~Rule 535. Rule 2001.6c of the ASME code is amended to read as follows:~~
~~2001.6c. Platform guarding shall be pursuant to rule 2001.6c(1) or rule 2001.6c(2) of the ASME code where approved by the authority having jurisdiction.~~
~~(1) The platform shall be equipped with a self-closing door not less than 42 inches high on the sides of access to the lower landing. The door shall be of solid construction and provided with a combination mechanical lock and electric contact and shall only be operable within 2 inches of the lower landing. The combination mechanical lock and electric contact may permit the platform to move when the door or gate is in the closed position, but not locked, if the device will stop the platform when the door or gate fails to lock before the platform has moved more than 2 inches away from the landing.~~

~~The platform side guards on the sides not used for access or exit shall be of smooth construction to a height of 42 inches above the platform and shall not have openings other than openings necessary for operation. Openings necessary for operation shall reject a ball that is 1/2 inch in diameter. A grab rail extending the full length of either side guard shall be provided at a height of 36 inches. The running clearance between the side guards and the enclosure shall be not less than 2 inches nor more than 3 inches.~~
~~(2) A metal guard that is not less than 1/8 inch thick and not less than 9 inches high shall be provided for the full width of the platform to prevent a wheelchair from rolling off the lower access end of the platform when in use. The guard may be actuated automatically by movement from the landing.~~
~~Means shall be provided to prevent the wheelchair from rolling off the platform at the upper access end.~~
~~When the platform is in use, the incline of the ramp shall be as follows:~~
~~(a) Not more than 1 in 6 for heights up to 2 1/2 inches.~~
~~(b) Not more than 1 in 8 for heights of more than 2 1/2 inches and less than 3 inches.~~
~~(c) Not more than 1 in 12 for heights of 3 inches or more.~~
~~A hand grip shall be provided at a height of not less than 36 inches from the platform.~~//

R 408.8536 **Rescinded.**//~~Controls and electrical equipment.~~
~~Rule 536. (1) The operating control shall be a constant pressure type control. Keyed type operation is not permitted in buildings other than private residences.~~
~~(2) A separate fused disconnecting means or circuit breaker that is not accessible to the general public shall be provided.~~
~~(3) Electrical wiring and components in the device and its installation shall be in compliance with the standards of the national electrical code, NFPA 70 1996, which is adopted in these rules by reference in R 408.8141.~~//

R 408.8536a **Rescinded.**//~~Rated load and speed.~~
~~Rule 536a. Rule 2001.7a of the ASME code is amended to read as follows: 2001.7a. The capacity shall be 1 person. The rated load shall be not less than 450 pounds and not more than 750 pounds. The lift shall be capable of sustaining and lowering a load as specified in rule 207.1 of the ASME code. The rated speed shall not be more than 15 feet per minute.~~//

R 408.8537a **Rescinded.**//~~Rated load and speed.~~
~~Rule 537a. Rule 2002.7a of the ASME A18.1 code is amended to read as follows:~~
~~2002.7a The capacity shall not be more than 2 persons. The rated load shall not be less than 250 pounds for a 1-seat lift and not less than 400 pounds for a 2-seat lift. The rated speed shall not be more than 25 feet per minute.~~//

R 408.8538 **Rescinded.**//~~Frames and platform.~~
~~Rule 538. Rule 2100.6a of the ASME code is amended to read as follows:~~
~~2100.6a. The car frame shall be of metal construction and have a factor of safety of not less than 5 based on the rated load. The platform shall be of metal construction and have a nonskid surface. Construction shall be in compliance with the requirements of rules 204.1b and 204.1c of the ASME code. The device shall be installed and maintained so that the means of egress is in compliance with the provisions of the applicable building code.~~//

R 408.8539 **Rescinded.**//~~Platform area.~~
~~Rule 539. Rule 2100.6c of the ASME code is amended to read as follows:~~

~~2100.6c. The inside net platform area shall not be more than 18 feet squared and shall serve not more than 2 landings.~~//

R 408.8540 **Rescinded.**//~~Rated load, speed, and travel.~~
~~Rule 540. Rule 2100.7a of the ASME code is amended to read as follows:~~
~~2100.7a. The rated load shall be not less than 450 pounds nor more than 750 pounds. The lift shall be capable of sustaining and lowering a load as specified in rule 207.1 of the ASME code. The rated speed shall not be more than 15 feet per minute. The travel shall not be more than 6 feet nor penetrate a floor.~~//

R 408.8540a **Rescinded.**//~~Frames and platform.~~
~~Rule 540a. Rule 2101.6a of the ASME code is amended to read as follows:~~
~~2101.6a. (1) The car or platform frame shall be of metal construction and have a factor of safety of not less than 5 based on rated load. The platform shall be of metal construction and have a nonskid surface. Construction shall be in compliance with the requirements of rules 204.1b and 204.1c of the ASME code. The device shall be installed and maintained so that the means of egress is in compliance with the provisions of the applicable building code.~~
~~(2) The inside net platform area shall not be more than 18 feet squared.~~
~~(3) Metals that have an elongation of less than 20% in a length of 2 inches shall not be used in the construction of any member of the car frame or platform.~~
~~(4) Glass, where used, shall be in compliance with rule 204.1h of the ASME code.~~//

R 408.8540b **Rescinded.**//~~Rated load and speed.~~
~~Rule 540b. Rule 2101.7a of the ASME code is amended to read as follows:~~
~~2101.7a. The capacity shall be 1 person. The rated load shall be not less than 450 pounds and not more than 750 pounds. The lift shall be capable of sustaining and lowering a load as specified in rule 207.1 of the ASME code. The rated speed shall not be more than 15 feet per minute.~~//

R 408.8540c **Rescinded.**//~~Rated load and speed.~~
~~Rule 540c. Rule 2102.7a of the code is amended to read as follows:~~
~~2102.7a. The capacity shall not be more than 2 persons. The rated load shall not be less than 250 pounds for a 1-seat lift and not less than 400 pounds for a 2-seat lift. The rated speed shall not be more than 25 feet per minute. The device shall be installed and maintained so that the means of egress is in compliance with the provisions of the applicable building code.~~//

R 408.8541 **Rescinded.**//~~Applicability of rules.~~
~~Rule 541. (1) The design, installation, and operation of outdoor incline lifts shall be subject to the approval of the department and the rules promulgated by the board.~~
~~(2)//On and after September 1, 1971, these rules shall govern existing commercial installations and new commercial installations; further, these rules shall also govern new private installations, but shall not govern private installations existing before September 1, 1971.~~
~~(3) The following rules shall not apply to private installations of outdoor incline lifts: R 408.8543, R 408.8545, R 408.8547, and R 408.8555.~~
~~(4) "Private installations" means any outdoor incline lift restricted for use by the owner and his or her immediate family and their nonpaying guests. All other outdoor incline lift installations shall be classified as commercial.~~//

R 408.8542 **Rescinded.**//~~Engineers' approval.~~

~~Rule 542. The design of structural members and component parts for an incline lift submitted to the elevator safety division after September 1, 1971, shall bear the seal of approval of a registered professional engineer before issuance of a permit will be considered.~~//

R 408.8543 **Rescinded.**//~~Enclosures for runways and driving machines.~~
~~Rule 543. (1) The sides of an incline lift runway which is accessible to the general public shall be enclosed along its entire length. A minimum clearance of 2 feet shall be maintained between the enclosure and any moving part. The enclosure shall be of such size and material as will reject a 2-inch ball. The height of the enclosure shall be not less than 7 feet and so supported and braced as to deflect not over 1 inch when subjected to a force of 100 pounds applied horizontally at any point.~~
~~(2) Approved spring buffers shall be installed at the bottom of the runway.~~
~~(3) A driving machine and controller shall be located within a locked enclosure. This enclosure shall be so supported and braced so as to deflect not over 1 inch when subjected to a force of 100 pounds applied horizontally at any point.~~//

R 408.8544 **Rescinded.**//~~Electrical installations.~~
~~Rule 544. (1) A fused disconnect switch or a circuit breaker shall be installed within the machine enclosure and connected to the power supply line to each electric motor.~~
~~(2) An electrical fitting exposed to any weather conditions and any wiring shall be in compliance with the requirements of the national electric code, NFPA 70-1996, which is adopted in these rules by reference in R 408.8141.~~//

R 408.8545 **Rescinded.**//~~Landing entrance doors and gates.~~
~~Rule 545. (1) A landing opening of an incline lift shall be protected by a door or gate extending from a maximum of 1 inch above the floor to a minimum height of 7 feet and shall be self-closing.~~
~~(2) A landing door or gate shall be solid or may have openings of such size and material as will reject a ball 3/4 inch in diameter.~~
~~(3) A landing door or gate shall be provided with an approved type mechanical lock and electric contact or interlocks. Contact voltage shall not exceed 120 nominal volts.~~
~~(4) A landing door or gate shall be so supported and braced as to deflect not over 1 inch when subjected to a force of 100 pounds applied horizontally at any point. Grilles when used shall be not less than no. 13 steel wire gauge.~~//

R 408.8546 **Rescinded.**//~~Car doors and gates.~~
~~Rule 546. (1) A car shall have a car door or gate at each entrance which shall swing into the car or slide horizontally.~~
~~(2) A car door or gate shall be equipped with an approved type of mechanical lock and plug proof electrical contact.~~
~~(3) A car door or gate shall be at least 6 feet in height with a bottom clearance of not more than 1 inch, and shall be of such size and material as will reject a ball 3/4 inch in diameter.~~//

R 408.8547 **Rescinded.**//~~Car enclosures and capacity.~~
~~Rule 547. (1) All sides of the car shall be permanently enclosed except the portion used as an entrance or entrances.~~
~~(2) The enclosures may be of wood, metal or other approved material and may be designed with open work material. An opening is not to be more than 3/4 inch square and so supported and braced as to deflect not over 1 inch when subjected to a force of 100 pounds applied horizontally at any point.~~

~~(3) An enclosure shall be not less than 6 feet in height.~~
~~(4) A capacity sign which states the rated load shall be conspicuously located in the car.~~
~~(5) The rated load of a car shall be determined pursuant to the following table:~~

~~Maximum Inside Net Platform Areas for the Various Rated Loads~~

Inside Net Rated Load lb.	Inside Net Platform Area sq. ft.	Inside Net Rated Load lb.	Inside Net Platform Area sq. ft.
500	7.0	4500	46.2
600	8.3	5000	50.0
700	9.6	6000	57.7
1000	13.25	7000	65.3
1200	15.6	8000	72.9
1500	18.9	9000	80.5
1800	22.1	10000	88.0
2000	24.2	12000	103.0
2500	29.1	15000	125.1
3000	33.7	18000	146.9
3500	38.0	20000	161.2
4000	42.2	25000	196.5
30000	231.0//		

R 408.8548 **Rescinded.**//~~Car safety devices.~~
~~Rule 548. (1) An incline lift shall be equipped with an approved car safety device capable of stopping and holding the rated load.~~
~~(2) The maximum rated car speed shall be not more than 75 feet per minute.~~
~~(3) An installation shall be subject to a full load safety test at the time of final inspection which shall be witnessed by a general elevator inspector of the department.~~
~~(4) An installation shall be equipped with a safety operated switch on the car to automatically cut off the power from the machine and apply the brake when the safety sets.~~
~~(5) A power incline lift which has a winding drum type machine shall have a device which cuts off the power to the machine and applies the brakes if a cable becomes slack or breaks regardless of the position of the car on the runway. This device shall be arranged to stay in the open position until manually reset.~~//

R 408.8549 **Rescinded.**//~~Controls.~~
~~Rule 549. (1) The operating device shall be of an enclosed electrical type with constant pressure button and shall be located at each landing and on the car. Keyed "off" and "on" switches shall be provided at each landing.~~
~~(2) A car shall be equipped with an emergency stop switch which shall:~~
~~(a) Be of the manually opened and closed type.~~
~~(b) Have red operating handles or buttons.~~
~~(c) Be conspicuously and permanently marked, "Stop."~~
~~(d) Be positively opened mechanically and its opening shall not be solely dependent on springs.~~//

R 408.8550 **Rescinded.**//~~Final limit switches.~~
~~Rule 550. An incline lift shall have final limit switches opened only by the car and so located within the runway as to cut off power to the machine and apply the brake within the limits of the top and bottom overtravel.~~//

R 408.8551 **Rescinded.**//~~Normal terminal stopping devices.~~
~~Rule 551. (1) Upper and lower normal terminal stopping devices shall be provided and arranged to stop the car automatically at or near the top and bottom terminal landings with any load up to and including the rated load in the car and from any speed attained in normal operation. The devices shall function independently of the operating device and of the final terminal stopping device. The device shall be so designed and installed that it will continue to function until the final terminal stopping device operates.~~
~~(2) A drum machine shall be equipped with approved type machine limits.~~//

R 408.8552 **Rescinded.**//~~Machines and brakes.~~
~~Rule 552. (1) Machines shall be of the direct drive type.~~
~~(2) The brake shall be located either on the machine or main drive shaft. A mechanical speed retarder shall be provided which will limit the car speed to not more than 125% of the rated speed in case of a runaway car. The department may approve other types of overspeed devices.~~
~~(3) A hoisting motor shall have a manually reset type of electrical overload device.~~//

R 408.8553 **Rescinded.**//~~Cables and drums.~~
~~Rule 553. (1) The number of hoisting cables shall be not less than 2. The minimum diameter of the hoisting cable shall be not less than 3/8 inch. The cables shall be made of steel or comparable material approved by the department.~~
~~(2) The diameter of the hoisting drum shall not be less than 30 times the diameter of the hoisting cable. When the car is at its extreme limits of travel not less than 1 1/2 turns of the cable shall remain on the drum.~~
~~(3) Cable fastenings shall be by at least 2 nondeforming-type clamps with cable thimbles or tapered babbitted rope sockets. U-bolt type cable clips or clamps are prohibited.~~
~~(4) A hoisting drum shall have machine-cut grooves with a corresponding groove for each cable.~~
~~(5) The factor of safety for a hoisting cable shall be not less than 7.~~//

R 408.8554 **Rescinded.**//~~Guides, tracks, and cables.~~
~~Rule 554. (1) An incline lift car shall run on approved metal guides, tracks, or cables which will not allow the car or its assembly to leave the guides, tracks, or cables.~~
~~(2) The guides, tracks, or cables and their supports shall be designed, spaced, and fastened so that the whole assembly will satisfactorily withstand, without undue deflection or permanent deformation, the application of the car safety when stopping the car with its rated load at its maximum obtainable speed.~~//

R 408.8555 **Rescinded.**//~~Periodic tests.~~
~~Rule 555. A full load maintenance test shall be performed annually on an incline lift to conform to the applicable rules of section 900 of the standard by a licensed elevator contractor who shall submit to the department a statement upon a form furnished by it certifying that the tests have been conducted and the results thereof. (See R 408.8103(10)).~~//

R 408.8556 **Rescinded.**//~~Factor of safety.~~

~~Rule 556. The factor of safety for all component parts except hoist cables of an incline lift shall be not less than 5 based on the rated load.~~//

R 408.8561 **Rescinded.**//~~Escalators.~~
~~Rule 561. Rules promulgated by the board and the ASME code shall apply to escalators.~~//

R 408.8562 **Rescinded.**//~~Sidewalk elevators.~~
~~Rule 562. Rules promulgated by the board and the ASME code shall apply to sidewalk elevators.~~//

R 408.8563 **Rescinded.**//~~Dumbwaiters.~~
~~Rule 563. Rules promulgated by the board and the ASME code shall apply to dumbwaiters.~~//

R 408.8571 **Rescinded.**//~~Applicability.~~
~~Rule 571. The rules in this subpart apply to electric powered elevators used in sewage lift stations.~~//

R 408.8572 **Rescinded.**//~~Public access.~~
~~Rule 572. A sewage lift station personnel elevator shall not be accessible to the general public and shall be limited to use by employees only.~~//

R 408.8573 **Rescinded.**//~~Location, counterweights, and speed.~~
~~Rule 573. (1) The elevator may be installed in the entrance well.~~
~~(2) When counterweights and buffers are provided, the rules pertaining thereto shall apply.~~
~~(3) The rated speed of a car shall not exceed 35 feet per minute.~~//

R 408.8574 **Rescinded.**//~~Guarding exposed equipment.~~
~~Rule 574. Exposed gears, sprockets, tape or rope sheaves, drums of selectors, floor controllers, signal machines and the ropes, chains or tapes for driving them shall be guarded to protect against accidental contact.~~//

R 408.8575 **Rescinded.**//~~Supports and foundations.~~
~~Rule 575. (1) Machines, machinery and sheaves shall be supported and maintained in place so as to prevent any part from becoming loose or displaced.~~
~~(2) Supporting beams shall be of steel. Beams are not required under machines, sheaves and machinery or control equipment which are supported on floors provided that the floors are designed and installed to support the load imposed on the floor.~~//

R 408.8576 **Rescinded.**//~~Distance from car platform to floor level.~~
~~Rule 576. The distance from the top of a car platform at the lowest landing shall be not more than 20 inches above the floor level. The means of descent from the car platform shall not constitute a hazard.~~//

R 408.8577 **Rescinded.**//~~Car and counterweight clearances.~~
~~Rule 577. (1) When a car platform is level with the lowest landing, the car buffer striker plates shall not be in contact with the buffers.~~
~~(2) When the car is at its extreme limit of normal travel, there shall be not less than 6 inches between the top of the car crosshead and the nearest obstruction.~~
~~(3) When the counterweights are resting on their buffers, there shall be not less than 3 inches between the top of the car crosshead and the nearest obstruction.~~

~~(4) When the car is resting on its buffers there shall be not less than 3 inches clearance between the top of the counterweights and the nearest obstruction.~~
~~(5) The clearances between the car and the hoistway enclosure, hoistway sill or any obstruction shall be not less than 3/4 inch.~~
~~(6) The clearance between the car platform sill and hoistway edge shall be not more than 5 inches.~~
~~(7) The underside of a projection into the hatch shall be beveled at an angle of not less than 75 degrees with the horizontal unless protected by a safety device to stop the ascending car.~~
~~(8) The top of the lower landing entrance shall be provided with a safety device to stop the ascending car if for any reason an overhanging obstruction on the car comes in contact with a shear hazard.~~//

R 408.8578 **Rescinded.**//~~Landing openings.~~
~~Rule 578. (1) If an upper landing side entrance door is provided, the entrance shall be not less than 6 1/2 feet in height.~~
~~(2) The top of the hoistway shall be provided with an overlapping, self-locking hinged cover designed to lock the closed side entrance door when the lift station is unoccupied.~~//

R 408.8579 **Rescinded.**//~~Locking devices.~~
~~Rule 579. (1) The hinged cover and the upper landing side entrance door, when provided, shall be provided with a mechanical latch and an electrical contact designed to be operated from inside the hoistway.~~
~~(2) A locking device shall be provided to prevent the top hinged cover from locking the upper landing side entrance door when the lift station is occupied.~~//

R 408.8580 **Rescinded.**//~~Guide rails.~~
~~Rule 580. (1) A car and counterweight shall be provided with guide rails of steel.~~
~~(2) A guide rail shall be securely fastened with through bolts or clips of strength, design and spacing as follows:~~
~~(a) A guide rail and its fastenings shall not deflect more than 1/4 inch under normal operations.~~
~~(b) A guide rail and its fastenings shall withstand the application of the safety, when stopping the car with a rated load or when stopping the counterweights.~~
~~(c) A guide rail shall rest on supports and extend at the top of the hoistway to prevent the guide shoes from running off the guide rail in case the car or the counterweight travels beyond the terminal landings.~~//

R 408.8581 **Rescinded.**//~~Frames, enclosures, platforms, capacity, and final limits.~~
~~Rule 581. (1) A car frame and platform shall be of metal. Frame members shall be securely bolted and braced. The factor of safety shall not be less than 4 with a uniformly distributed rate load.~~
~~(2) The car shall be enclosed to the extent necessary to afford reasonable protection.~~
~~(3) The platform area shall not exceed 5 square feet.~~
~~(4) The rated capacity shall be not less than 300 pounds.~~
~~(5) The limit of travel for the elevator shall be not more than 50 feet.~~//

R 408.8582 **Rescinded.**//~~Emergency exits.~~
~~Rule 582. A car shall be provided with an emergency exit giving egress from the car to an emergency ladder from any location in the hoistway and shall be provided with electrical contacts to prevent movement of the car while the emergency exit is open.~~//

R 408.8583 **Rescinded.**//~~Safeties and governors.~~

~~Rule 583. (1) A car shall be provided with a car safety capable of stopping and sustaining the car with a rated load.~~

~~(2) The car safety shall be of the inertia or other type approved by the board, operated as a result of the breakage of the hoisting mechanism or by a speed governor. A governor of the speed governor type shall operate to set the safety at a speed of not more than 175 feet per minute and on breakage of the suspension means. The safety shall operate without appreciable delay and independently of the governor speed action.~~

~~(3) Where a speed governor is used, it shall be located where there is sufficient space for full movement of the governor parts and where the governor cannot be struck by the car or counterweight in case of overtravel.~~

~~(4) A safety operated switch shall be provided to open the motor control circuit and the brake control circuit before or at the time the safety applies.~~

~~(5) A governor rope shall be of iron, steel, Monel Metal or phosphor bronze not less than 1/4 inch in diameter. Tiller rope construction shall not be used for a governor rope.~~

~~(6) An elevator of the winding drum type or roller chain drive type shall be provided with a slack rope device of the manually reset type which will remove the power from the motor and brake if the car is obstructed in its descent and the hoisting chain or rope slackens.~~

~~(7) A car safety device which depends upon completion of maintenance of an electric circuit for application of the safety shall not be used. A car safety shall be applied mechanically.~~

~~(8) Cast iron shall not be used in construction of any part of a car safety, the breakage of which would result in failure of the safety to function to stop and sustain the car.~~

~~(9) A test of a car safety shall be made with a rated load in the car before the elevator is put into service. Governor operation of an instantaneous type safety shall be tested at rated speed by tripping the governor by hand. A safety operated as the result of the breaking of the hoisting mechanism shall be tested by obtaining the necessary slack rope to cause it to function.~~

~~(10) An overspeed governor shall be provided for a traction machine.~~//

R 408.8585 **Rescinded.**//~~Driving machines and sheaves.~~

~~Rule 585. (1) A sprocket, winding drum, traction sheave and overhead and deflecting sheave shall be of cast iron or steel. The diameter of a sheave shall not be less than 30 times the diameter of the wire hoisting rope. The rope grooves shall be machined, except where 8 x 19 steel ropes are used; where 8 x 19 steel ropes are used, the diameter of drums and sheaves may be reduced to 21 times the diameter of the rope.~~

~~(2) The factor of safety, based on the static load, that is, the rated load plus the weight of the car or chains, ropes and counterweights, to be used in the design of a driving machine and sheave, shall be not less than:~~

~~(a) Eight for wrought iron and steel.~~

~~(b) Ten for cast iron, cast steel and other material.~~

~~(3) A set screw fastening shall not be used in lieu of a key or pin if the connection is subject to torque or tension.~~

~~(4) A friction-gearing or clutch mechanism shall not be used for connecting the sprockets, drum or sheaves to the main driving gear.~~

~~(5) Worm gearing having cast-iron teeth shall not be used.~~

~~(6) A driving machine shall be equipped with an electrically released spring-applied brake.~~

~~(7) A single ground or short circuit, a counter-voltage or a motor field discharge shall not prevent the brake magnet from allowing the brake to set when the operating device is placed in the stop position.~~//

R 408.8587 **Rescinded.**//~~Terminal stopping devices.~~

~~Rule 587. (1) Upper and lower normal terminal stopping devices operated by a car shall be provided and shall be set to stop the car at, or near the upper and lower terminal landings. Upper and lower final terminal stopping devices operated by the car shall also be provided and shall be set to stop the car before it strikes either the overhead or obstruction at the lower floor level. A final terminal stopping device shall be provided on and operated by the driving machine of the winding drum type.~~

~~(2) The final terminal stopping device shall act to prevent movement of the car in both directions of travel. The normal and final terminal stopping devices shall not control the same switches on the controller unless 2 or more separate and independent switches are provided, 2 of which shall be closed to complete the motor and brake circuit in each direction of travel.~~//

R 408.8588 **Rescinded.**//~~Operation and operation devices.~~

~~Rule 588. (1) The operation at top and bottom landings shall be of the constant pressure type.~~

~~(2) The car operating device shall be of the constant pressure push button type with the face of the button not to project beyond the face of the button plate; and it shall be of the 2 hand control type.~~

~~(3) An emergency stop switch shall be provided on or adjacent to the car operating panel. A stop switch shall be of the manually opened and manually closed type with a red handle or button and conspicuously marked "Stop." Spring failure shall not prevent opening of the switch where springs are used.~~//

R 408.8589 **Rescinded.**//~~Control and operating circuits.~~

~~Rule 589. The design and installation of the control and operating circuits shall conform to the following:~~

~~(a) A control system which depends on completion or maintenance of an electric circuit shall not be used for:~~

~~(i) Interruption of the power and application of machine brake at the terminals.~~

~~(ii) Stopping of the car when the emergency stop switch in the car is opened or when any of the electrical protective devices operate.~~

~~(iii) Stopping the machine when the safety applies.~~

~~(b) A spring used to actuate a switch, contactor or relay to break the circuit in order to stop a car at the terminal shall be of the compression type.~~

~~(c) The failure of a single magnetically operated switch or relay or contactor to release or operate in the intended manner, or the occurrence of a single accidental ground, shall not permit the car to run.~~//

R 408.8590 **Rescinded.**//~~Hoisting cables.~~

~~Rule 590. (1) Only iron, low carbon steel or steel wire cables with fibre cores, having the commercial classification "elevator wire cable," shall be used for suspension of an elevator car and counterweights. The wire material for a cable shall be manufactured by the open-hearth or electric furnace process or their equivalent.~~

~~(2) Suspension means shall be not less than 2 iron or steel wire cables having a diameter of not less than 1/4 inch.~~

~~(3) The factor of safety of the suspension means shall be not less than 7.~~

~~(4) The arc of contact of a wire rope on a traction sheave shall be sufficient to produce adequate traction under all load conditions.~~

~~(5) A wire rope anchored to a winding drum shall have not less than 1 full turn of rope on the drum when the car or counterweight has reached its limit of possible overtravel.~~

~~(6) A car or counterweight wire rope shall not be lengthened or repaired by splicing.~~

~~(7) The winding-drum end of a car and counterweight wire rope shall be secured by a clamp on the inside of the drum.~~
~~(8) The car or counterweight end of a wire rope shall be fastened by return loop, by individual tapered babbitted sockets, or by an alternate method approved by the board. A clamp of the U-bolt type shall not be used.~~//

R 408.8591 **Rescinded.**//~~Hoisting chains.~~
~~Rule 591. (1) Only roller chain made of high quality alloy, heat treated steel with the following characteristics is acceptable for hoisting chains:~~
~~(a) Prestressed.~~
~~(b) Shot peened.~~
~~(c) In-line blanking.~~
~~(d) Deep case hardening of pins and bushings.~~
~~(2) Suspension means shall not be less than 2 separate roller chains, each chain having a tensile strength of not less than 3,500 pounds.~~
~~(3) The factor of safety of the suspension means shall be not less than 7.~~
~~(4) A chain shall have not less than 6 inches of chain available beyond the normal stopping point when the car has reached its extreme limits of travel.~~
~~(5) A chain end shall be fastened by standard master links.~~//

R 408.8592 **Rescinded.**//~~Wiring and lighting.~~
~~Rule 592. (1) Electric wiring shall be in rigid metal conduit or electrical metallic tubing.~~
~~(2) A traveling cable used between the car and hoistway wiring shall be in compliance with the national electrical code, NFPA 70-1996, section 620.11(b), which is adopted in these rules by reference in R 408.8141.~~
~~(3) A fused disconnect main line switch externally operated shall be provided adjacent to the controller.~~
~~(4) Hoistway lighting shall be provided.~~//

R 408.8595 **Rescinded.**//~~Inspection and tests.~~
~~Rule 595. (1) An existing installation and a new elevator installation, after being placed in service, shall be subjected to maintenance inspections and tests.~~
~~(2) Maintenance inspections and tests of elevator car and counterweight safeties and governors shall be made at intervals of not more than 12 months.~~
~~(3) The owner or his authorized agent shall have maintenance inspections and tests made by a person qualified to perform them in the presence of an inspector in the employ of or authorized by the department, of labor except where such an inspector is not available. When the required tests are made, the person or firm conducting the tests shall:~~
~~(a) Submit to the department a statement upon a form furnished by it certifying that the tests have been conducted and further certifying to the results thereof.~~
~~(b) Attach to the governor rope a tag marked to show the date of the test and the name of the person or firm who conducted it.~~
~~(4) The distance between any 100 continuous links of roller chain, measured from centerline of pin, shall not be more than + or – 1% of the rated pitch of the chain being tested. For example: 100 links of standard series single strand #40 roller chain, which has a pitch length of 1/2 inch shall not be more than 50 1/2 inches or less than 49 1/2 inches.~~
~~(5) The inspection of chain links shall be made at not less than 3 points picked at random.~~//

R 408.8596 **Rescinded.**//~~Reshackling of hoisting ropes of drum-type machines.~~
~~Rule 596. The hoisting ropes of a power elevator having a drum-type driving machine with one-to-one roping shall be reshackled at the car ends at intervals not more than 24 months for a machine located below or at the side of the hoistway.~~//

//~~PART IV. MODIFICATION OF AMERICAN STANDARD SAFETY CODE~~//

R 408.8601 **Rescinded.**//~~Scope.~~
~~Rule 601. The rules of this part are modifications to certain identified rules of the ASME code. Pursuant to section 6 of the act, the rules as stated in this part shall apply rather than as stated in the ASME code.~~//

R 408.8611 **Rescinded.**//~~Fire-resistance ratings.~~
~~Rule 611. (1) The fire-resistance ratings of hoistway enclosures, doors and door assemblies where fire-resistive construction is required shall be not less than specified by local laws or ordinances.~~
~~(2) Where local laws and ordinances do not specify fire-resistance ratings, they shall be not less than 1 hour in fire-resistive buildings and 3/4 hour in nonfire-resistive buildings. However, a hoistway enclosure in stories, other than the basement, of a dumbwaiter serving not more than 2 consecutive stories may be no. 16 U.S. gauge unperforated sheet steel or equal. (This rule modifies rule 100.1b of the standard.)~~//

R 408.8613 **Rescinded.**//~~Access to hoistways for emergency purposes.~~
~~Rule 613. (1) The elevator shall have hoistway doors which are unlocked when closed with the car at floor or which are locked but openable from landing by means effective only when the car is in the landing zone.~~
~~(2) The operating means for unlocking the door may be mounted in a receptacle with a breakable transparent cover clearly marked "ELEVATOR DOOR KEY FOR FIRE DEPARTMENT AND EMERGENCY USE ONLY" in letters not less than 1/8-inch high. The receptacle shall be located in an area in each building designated by the department. This rule modifies rule 111.10 of the standard.~~//

R 408.8614 **Rescinded.**//~~Buffers and bumpers.~~
~~Rule 614. (1) Buffers of the spring, oil, or equivalent type shall be installed under cars and counterweights of all elevators. This rule modifies rule 201.1a of the standard.~~
~~(2) Solid bumpers where buffers are required are prohibited. This rule modifies rule 301.3 of the standard.~~//

R 408.8615 **Rescinded.**//~~Car frame and platform connections.~~
~~Rule 615. Welding of parts upon which safe operation depends shall be done in accordance with section 213 of the ASME code and as approved by the department. This rule modifies section 213 of the ASME code.~~//

R 408.8617 **Rescinded.**//~~Light fuses and circuit breakers; installation.~~
~~Rule 617. The fuses or circuit breakers for elevator car lights shall be installed in the machine room. This rule modifies rule 204.7a of the standard.~~//

R 408.8618 **Rescinded.**//~~Speed governors.~~

~~Rule 618. (1) Car safeties, and counterweight safeties where furnished, shall be actuated by separate speed governors, except that governors are not required for the operation of safeties of sidewalk elevators that have a rated speed of not more than 50 feet per minute. (See rule 401.6 of the ASME code.)~~
~~(2) The governor shall be located where it cannot be struck by the car or the counterweight in case of overtravel and where there is adequate space for full movement of governor parts.~~
~~(3) Governors of the type that are entirely dependent upon friction between the governor rope and sheave for establishing the force necessary to operate the safeties are prohibited. This rule modifies rule 206.1 of the ASME code.~~//

R 408.8619 **Rescinded.**//~~Overloading of freight elevators.~~
~~Rule 619. (1) A freight elevator shall not be loaded to exceed its rated load as specified on the capacity plate required by rule 207.3 of the standard except in case of:~~
~~(a) A static load on an elevator loaded and unloaded by industrial trucks as noted on car capacity or separate plate. (See rules 207.2b-3 and 207.3b-1b of the standard.)~~
~~(b) An elevator designed and installed in conformity with rule 207.7 of the standard to carry 1-piece loads exceeding its rated load.~~
~~(2) Where it is determined by the department that safe operation requires it, a load-weighing device conforming to rule 210.11 of the standard shall be installed. The device shall be so designed and installed that when the load on the elevator platform is in excess of rated load, it shall prevent the electric power from being applied to the elevator driving machine motor and brake. (This rule modifies rule 207.6 of the standard.)~~//

R 408.8620 **Rescinded.**//~~Access doors and openings.~~
~~Rule 620. (1) Access doors to machine rooms and overhead machinery spaces shall comply with all of the following requirements:~~
~~(a) For machine rooms, be of a minimum width of 2 feet 6 inches and a minimum height of 6 feet 8 inches. For other spaces as specified in rule 101.4-b and c of the standard, be of a minimum width and height of 2 feet 6 inches.~~
~~(b) Be self-closing and self-locking.~~
~~(c) Be provided with a spring-type lock arranged to permit the doors to be opened from the inside without a key.~~
~~(d) Be kept closed and locked.~~
~~(2) Doors are not required at openings in machine room floors for access to deflecting and secondary sheave spaces if the access opening is provided on all 4 sides with a railing not less than 42 inches high, 1 side of which is arranged to slide or swing to provide access to the ladder or stairs leading to the secondary sheave space. Trap doors, where provided, shall have railing or guard wings on all open sides.~~
~~(3) Access openings in elevator hoistway enclosures where complete bodily entry is not required for maintenance and inspection of components shall comply with all of the following requirements:~~
~~(a) Be of adequate size and located to permit the required maintenance and inspection.~~
~~(b) Be a maximum width of 2 feet and a maximum height of 2 feet.~~
~~(c) Be provided with doors which shall be kept closed and locked.~~//

R 408.8621 **Rescinded.**//~~Construction of dumbwaiter cars.~~
~~Rule 621. Cars shall conform to all of the following requirements:~~
~~(a) They shall be of solid or openwork construction and shall be of such strength and stiffness that they will not deform appreciably when the load leans or falls against the sides of the car.~~

~~(b) Nonmetal cars shall be reinforced with metal from the bottom of the car to the point of suspension.~~
~~(c) Metal car sections shall be riveted, welded, or bolted together.~~
~~(d) Cars may be provided with hinged, permanent, or removable shelves.~~
~~(e) The total inside height of the car shall not exceed 4 feet.~~
~~(f) Cars shall be provided with a platform. The platform floor may be made hinged or removable or may be omitted in nonresidential buildings, subject to the approval of the enforcing authority.~~
~~(g) Car doors or gates equipped with electric contacts shall be provided on all dumbwaiters.~~//

R 408.8631 **Rescinded.**//~~Car safeties.~~
~~Rule 631. Car safeties shall be installed if they are determined by the department to be necessary for safe operation. This rule modifies rule 301.8 of the standard.~~//

R 408.8632a **Rescinded.**//~~Furnace butt welded pipe prohibited.~~
~~Rule 632a. Furnace butt welded pipe shall not be used.~~//

R 408.8634 **Rescinded.**//~~Pipe supports and guards.~~
~~Rule 634. Piping shall be supported to eliminate undue stress at joints and fittings, particularly at any section of the line subject to vibration. Exposed portions of supply piping directly below the space between the hoistway and car sill in the elevator pit shall be protected with an approved type of guard.~~//

R 408.8636a **Rescinded.**//~~Cylinder protection.~~
~~Rule 636a. An outer cylinder casing is required on a new hydraulic elevator or where a cylinder is being replaced. The steel casing shall have a wall thickness that is not less than 3/8 of an inch. An expandable-type concrete plug shall be poured in the bottom of a casing or a welded plate closer shall be provided and water removed. Dry nonconductive material, if needed, shall be provided between a cylinder and its casing to secure the position of the cylinder. This rule modifies rule 302.3h of the standard.~~//

R 408.8638 **Rescinded.**//~~Shutoff valves; gage snaps; underground piping; tags.~~
~~Rule 638. (1) A shutoff valve shall be provided on a new or modernized hydraulic elevator and shall be installed in the cylinder supply line within the elevator machine room. Where the hoistway is remotely located from the machine room, a shutoff valve shall also be provided in the elevator pit.~~
~~(2) A new hydraulic machine shall be provided with the necessary permanent pressure gage snap-on fittings or permanent gages to allow pressure readings at each pump for checking operating pressures.~~
~~(3) Underground piping in connection with a new hydraulic elevator is prohibited. When a cylinder is replaced on an existing hydraulic elevator, the corresponding piping, if underground, is prohibited unless approved by the director of labor.~~
~~(4) Tags provided by the department shall be installed on new or replaced exposed hydraulic piping at intervals of not more than 10 feet. A tag provided by the department shall be attached to the car of a new or modernized hydraulic elevator, indicating the date of the installation and confirming that the hydraulic piping complies with these rules.~~//

R 408.8639 **Rescinded.**//~~Three year inspection and test requirements.~~
~~Rule 639. Rules 1005.1, 1005.2, 1005.2a, and 1005.2b of the ASME A17.1 code are amended to read as follows:~~
~~1005.1. (1) Cylinders shall be tested at intervals of not more than 36 months.~~
~~1005.2.(2) Three-year inspection and test requirements.~~

~~1005.2a. (a) The relief valve setting shall be in compliance with the applicable requirements. It shall be resealed if the relief valve setting is altered or if the seal is broken (Rule 303.4b of the ASME A17.1 code).~~
~~1005.2b. (b) Test the relief valve setting by first inching the empty car upward to engage the plunger stop ring or to engage other suitable blocking provided and then apply pressure from the pump to check the setting.~~
~~Procedures for set test are as follows:~~
~~(a) Put rated load in the car and locate it at any convenient level.~~
~~(b) Open the disconnect switch and locate the elevation of the platform with respect to a convenient reference.~~
~~(c) For cylinders that are not completely exposed, after not less than 2 hours, note the position of the platform with respect to the chosen reference. For cylinders that are completely exposed, after not less than 30 minutes, note the position of the platform with respect to the chosen reference. A change in the car position during a cylinder test that cannot be accounted for by visible oil leakage or temperature change of the oil indicates a failure of some type requiring further inspections, tests, or repairs. An accessible written record of all oil levels and all oil added shall be maintained in the machine room.~~//

R 408.8639b **Rescinded.**//~~Machine room entrance; location.~~
~~Rule 639b. Rule 300.2a of the ASME A17.1 code is amended to read as follows:~~
~~300.2a. The entrance to the machine room shall be not more than 25 feet, walking, from a hoistway door.~~//

R 408.8641 **Rescinded.**//~~Enclosure of hoistways.~~
~~Rule 641. A hoistway shall be solidly enclosed, except for exterior windows, throughout its height without grillwork or openings other than for landings or access doors. An enclosure shall be of sufficient strength to support in true alignment the hoistway doors and gates and their locking equipment and shall conform to local laws and ordinances. This rule modifies rule 500.1 of the standard.~~//

R 408.8642 **Rescinded.**//~~Protection of spaces below hoistways.~~
~~Rule 642. Where the space below the hoistway for an elevator car or counterweight is used for a passageway or is occupied by persons or, if unoccupied, is not secured against unauthorized access, the elevator shall be in compliance with both the following requirements:~~
~~(a) The car and counterweight shall be provided with safeties in compliance with rule 503.1 of the ASME code and with spring buffers which are designed so that they will not be fully compressed when struck by the car with its rated load or by the counterweight traveling at 125% of the rated speed or a governor tripping speed where a governor operated safety is used.~~
~~(b) Car and counterweight buffer supports shall be provided which are of sufficient strength to withstand, without failure, the impact resulting from buffer engagement at 125% of the rated speed or at governor tripping speed where a governor operated safety is used. This rule modifies rule 505.1 of the ASME code.~~//

R 408.8643 **Rescinded.**//~~Pits and buffers.~~
~~Rule 643. A pit that is not less than 12 inches deep shall be provided at the bottom of a hoistway. Car and counterweight buffers that are in compliance with rule 201.1a of the ASME code shall be provided. This rule modifies section 505 of the ASME code.~~//

R 408.8644 **Rescinded.**//~~Hoisting ropes outside hoistways.~~

~~Rule 644. Hoisting ropes located outside a hoistway shall be fully protected with a solid enclosure.~~//

R 408.8648 **Rescinded.**//~~Stopping devices.~~
~~Rule 648. Rule 507.1 of the ASME code is amended to read as follows:~~
~~507.1. Upper and lower normal terminal stopping devices operated by the car shall be provided and shall be set to stop the car at or near the upper and lower terminal landings. Upper and lower final terminal stopping devices operated by the car shall also be provided and shall be set to stop the car before it strikes the overhead or pit bottom. If the driving machine is of the winding drum or sprocket chain suspension type, then a final terminal stopping device shall also be provided on, and operated by, the driving machine.~~//

R 408.8661 **Rescinded.**//~~Clearances between balustrades and steps.~~
~~Rule 661. The clearance on either side of the steps between the steps and the adjacent skirt guard shall be not more than 3/16 of an inch, and the sum of the clearances on both sides shall be not more than 1/4 of an inch. This rule modifies rule 802.3e of the ASME code.~~//

R 408.8662 **Rescinded.**//~~Adjacent escalators; protection against access.~~
~~Rule 662. If the angles of inclination of adjacent escalators are parallel, then the entrance to the area between balustrades at the upper and lower levels shall be fully protected against access.~~//

R 408.8664 **Rescinded.**//~~Access to interiors and pits.~~
~~Rule 664. Reasonable access to the interior of an escalator shall be provided for inspection and maintenance. A permanent steel ladder shall be provided in a lower pit extending more than 48 inches in depth. (This rule modifies rule 806.3 of the standard.)~~//

R 408.8671 **Rescinded.**//~~Acceptance inspection and tests.~~
~~Rule 671. All parts of the installation shall be inspected for conformity with the requirements of the applicable code rules of part X of the standard. The American standard practice for the inspection of elevators, inspectors' manual, ANSI 1988, A17.2a 1989, a copy of which is on file in the Lansing office of the department of labor and is available for public inspection, is recommended as a guide in making the inspection. Balance load and maximum normal speeds with maximum rated load and no load shall be determined and recorded on forms furnished by the department. This rule modifies rule 1003.2 of the standard.~~//

R 408.8681 **Rescinded.**//~~Phase I emergency recall operation.~~
~~Rule 681. Rule 211.3a(1) of the ASME code is amended to read as follows:~~
~~211.3a(1). All cars controlled by this switch that are on automatic service shall return nonstop to the designated level and power-operated doors shall open and remain open.~~
~~On cars that have 2 entrances, if both entrances can be opened at the designated level, then the doors that serve the lobby where the 3-position phase I switch is located shall open and remain open. The rear door of the elevator shall remain closed. The key shall not be removable in the "BYPASS" position. The same key shall operate phase II in the car.~~//

R 408.8682 **Rescinded.**//~~Smoke detectors.~~
~~Rule 682. Rule 211.3b(4) of the ASME code is amended to read as follows:~~
~~211.3b(4). Phase I operation, when initiated by a smoke detector, shall be maintained until cancelled by moving the phase I switch to the "BYPASS" position (see also rule 211.3a(10) of the ASME code).~~//

R 408.8683 **Rescinded.**//~~Maintenance of fire fighters' service.~~
~~Rule 683. Rule 1206.7 of the ASME A17.1 code is amended to read as follows:~~
~~1206.7. All elevators provided with fire fighters' service shall be subjected quarterly to phase I recall and a minimum of 1 floor operation on phase II to ensure that the system is maintained in proper operating order. An accessible written record of test results shall be maintained in the machine room.~~//

R 408.8690 **Rescinded.**//~~Scope.~~
~~Rule 690. This subpart applies to alterations, repairs, and replacement of parts on electric and hydraulic elevators.~~//

R 408.8691 **Rescinded.**//~~Major alterations.~~
~~Rule 691. Rule 1001.2 of the ASME A17.1 code is amended to read as follows:~~
~~//1001.2. (1) All of the following alterations shall be considered major alterations:~~

~~Item~~	~~Electric Elevators~~	~~Hydraulic Elevators~~
~~(a) Rated load, increase in~~	~~1202.8d~~	~~1203.2k.~~
~~(b) Car, increase in dead weight of~~	~~1202.4b~~	~~1203.2m.~~
~~(c) Travel, increase or decrease in~~	~~1202.10a~~	~~1203.4a.~~
~~(d) Operation, change in type of~~	~~1202.12f~~	~~1203.8g.~~
~~(e) Suspension ropes, change in size, number, or material~~	~~R 408.8691a.~~	
~~(f) Guide rails, change in type or size~~	~~1202.1~~	~~1203.2a.~~
~~(g) Car or counterweight safety, or overspeed governor replacement, change in type or addition of~~	~~1202.6~~ ~~1202.7.~~	~~1203.2f.~~
~~(h) Freight elevator permitted to carry passengers~~	~~1202.8c~~	~~1203.2j.~~
~~(i) Freight elevator changed to passenger service~~	~~1202.8a~~	~~1203.2h.~~
~~(j) Power supply, change in~~	~~1202.12c~~	~~1203.8d.~~
~~(k) Driving machine, replacement~~	~~1202.9a~~	~~1203.3a.~~
~~(l) Replacement of an existing controller by a new controller~~	~~1202.12d~~	~~1203.8e.~~
~~(m) Driving machine brake, replacement~~	~~1202.9a~~	~~1203.3.~~
~~(n) Hoistway entrance or any part thereof, except for entrance hardware, replacement of~~	~~1201.10~~	~~1203.1j.~~
~~(o) Hoistway door locking device~~	~~1201.11~~	~~1203.1k.~~
~~(p) Hoistway access switches, addition of~~	~~1201.11d~~	~~1203.1k.~~
~~(q) Operating device, top of car, addition of~~	~~1202.12a~~	~~1203.8a.~~
~~(r) Door, power operation of, addition of~~	~~1201.12~~	~~1203.1m.~~
~~(s) Rope equalizer, addition of~~	~~1202.14c~~	~~1203.9c.~~

~~(t) Rope-fastening device, auxiliary, addition of 1202.14d 1202.14d.~~
~~(u) Car-leveling or truck-zoning device, addition of 1202.12b 1203.8b.~~
~~(v) Roller guide shoe, addition of 1202.4a 1202.4.~~
~~(w) Pumping unit, replacement of 1203.3e.~~
~~(x) Rated speed, increase in 1202.10b 1203.4a.~~
~~(y) Control, change in type of 1202.12e 1203.8f.~~
~~(z) Sheave, driving machine, replacement of 1202.9a.~~
~~(aa) Car enclosure, alteration of 1202.5 1203.2e.~~
~~(bb) Car platform, alteration of 1202.4a 1203.2d.~~
~~(cc) Car safety, replacement of 1202.6 1203.2f.~~
~~(dd) Check Valve, replacement of 1203.5.~~
~~(ee) Valves, supply piping and fittings, replacement of 1203.5.~~
~~(ff) Counterweight, alteration of 1202.3.~~
~~(gg) Change in location of driving machine 1202.9b 1203.3e.~~
~~(hh) Emergency operation, addition or alteration of 1202.13 1203.8h.~~
~~(ii) Increase in working pressure 1203.3d.~~
~~(jj) Reopening device for power-operated car doors or gates, addition or change in type 112.5 112.5.~~

~~Escalators~~

~~(kk) Escalator step chains, replacement of R 408.8692.~~
~~(ll) Escalator skirt switches, addition of R 408.8693.~~
~~(mm) Escalator step wheel track, replacement of R 408.8694.~~
~~(2) The alterations shall be in compliance with the applicable requirements of ASME code. A permit shall be obtained and the elevator shall not be placed into service until it has been inspected and tested in the presence of a general inspector, except as provided in section 15 of the act.~~//

R 408.8691a **Rescinded.**//~~Change in suspension ropes.~~
~~Rule 691a. Rule 1203.9a of the ASME code is amended to read as follows:~~
~~1203.9a. If the type of fastening, material, grade, number, or diameter of ropes is changed, then the new ropes and their fastenings shall be in compliance with the requirements of sections 212 and 307 of the ASME code.~~
~~If existing sheaves are retained using ropes different from those originally specified, then the original elevator manufacturer or a licensed professional engineer shall certify the sheave material to be satisfactory for the revised application.~~//

R 408.8691b **Rescinded.**//~~Car enclosure alterations.~~
~~Rule 691b. Rule 1202.5 of the ASME A17.1 code is amended to read as follows:~~

~~1202.5. All materials, other than metal or glass, which are used in passenger car enclosure walls and ceilings, and which are not tested in their end use configuration shall be tested individually pursuant to ASTM E 84, and the results shall be in compliance with a class A rating, that has a flame spread of 0 - 25 and smoke development of 0 - 450. The floor covering, underlayment, and adhesive shall have a critical radiant flux of not less than 0.45 W/cm2. Napped, tufted, woven, looped, and similar materials applied to car enclosure walls shall be in compliance with the requirements of section 1104 of the ASME code.~~//

R 408.8692 **Rescinded.**//~~Escalator step chains; replacement.~~
~~Rule 692. Where the escalator step chains are replaced, they shall conform to rules 802.10 and 802.11 of the standard.~~//

R 408.8693 **Rescinded.**//~~Escalator skirt switches; addition.~~
~~Rule 693. Where escalator skirt switches are added, they shall conform to rule 805.1h of the standard.~~//

R 408.8694 **Rescinded.**//~~Escalator step wheel tracks; replacement.~~
~~Rule 694. Where escalator step wheel tracks are replaced, they shall conform to rule 802.8 of the standard.~~//

R 408.8695 **Rescinded.**//~~Addition of hoistway door locking devices or car door or gate electric contacts; replacement of hoistway door locking devices.~~
~~Rule 695. Where the alteration consists of the addition of hoistway door interlocks, hoistway door combination mechanical locks and electric contacts, or car door or gate electric contacts or the replacement of any hoistway door interlock with a different type of interlock or of any hoistway door combination mechanical lock and electric contact with a different type of combination mechanical lock and electric contact, the added or replaced parts shall conform to the applicable requirements of rules 111.1 to 111.11 of the standard and the driving machine shall be equipped with an electrically released brake.~~//

NOTICE OF PUBLIC HEARING

ORR # 2000-014

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF CONSTRUCTION CODES AND FIRE SAFETY

ELEVATORS

The Department of Consumer and Industry Services, Bureau of Construction Codes and Fire Safety, will hold a public hearing on Wednesday, August 6, 2003, at 9:30 a.m. in conference room 3 located at 2501 Woodlake Circle, Okemos, Michigan.

The public hearing is to receive public comments on newly proposed administrative rules entitled, "Michigan Elevator Laws and Rules." The proposed effective date of the rules is December 1, 2003.

The hearing is being conducted by the Department by authority under section 3 of 1976 PA 333, and section 8 of 1967 PA 227, and sections 7, 9, and 387 of 1965 PA 380, and Executive Reorganization Order No. 1996-2, MCL 338.2153, 408.808, 16.107, 16.109, 16.487, and 445.2001.

The proposed rules are published in the *Michigan Register* or may be obtained on the web at www.michigan.gov/bccfs, under the What's New section. Copies of the rules may also be obtained by contacting the Bureau at the address below.

Oral or written comments may be presented in person at the hearing on August 6, 2003, or submitted in writing by mail, e-mail, or facsimile by August 15, 2003, at 5:00 p.m.

Department of Consumer and Industry Services
Bureau of Construction Codes and Fire Safety
Office of Administrative Services
P.O. Box 30254
Lansing, MI 48909
Telephone (517) 335-2972
Facsimile (517) 241-9570
baben@michigan.gov

Hearing facilities are barrier free. Kindly contact the Bureau to make arrangements for sign language interpreters within ten business days prior to the hearing.

PROPOSED ADMINISTRATIVE RULES

ORR # 2003-016

DEPARTMENT OF TREASURY

HIGHER EDUCATION ASSISTANCE AUTHORITY

MICHIGAN EDUCATION TRUST

Filed with the Secretary of State on
This rule takes effect 7 days after filing with the Secretary of State

(By authority conferred on the board of directors of the Michigan education trust by section 11 of 1986 PA 316, MCL 390.1431.)

R 390.1801 of the Michigan Administrative Code is amended as follows:

R 390.1801 Definitions.
Rule 1. (1) As used in these rules:
(a) "Academic year" means the undergraduate school year consisting of 2 semesters or 3 terms or quarters beginning the first semester, term, or quarter after July 15 of any year.
(b) "Act" means 1986 PA 316, MCL 390.1421 et seq.
(c) "Annual undergraduate tuition cost" means a figure determined by dividing the total in-state, undergraduate tuition collected by a particular state institution of higher education for a year by the total number of in-state, undergraduate, fiscal year equated students at that particular school for that year.
(d) "Application" means a request for acceptance into the trust made on a form, or a duplicate of a form, approved by the trust.
(e) "Application fee" means a fee paid to the trust upon application.
(f) "Average tuition cost" means a figure determined by adding the annual undergraduate tuition cost at each state institution of higher education and dividing that result by the total number of state institutions of higher education.
(g) "Beneficiary" means an individual who is designated as a beneficiary in a contract with the trust. The beneficiary shall be a resident as defined in this rule when the contract is submitted to the trust.
(h) "Community or junior college" means an educational institution described in 1963 Mich. Const., Art. VIII, section 7.
(i) "Contract" means any 1 of the following Michigan education trust contracts:
(i) Full benefits plan contract offered in 1988.
(ii) Limited benefits plan contract offered in 1988.
(iii) Community college plan contract offered in 1988.
(iv) Any other contract to provide educational benefits approved by the board.
(j) "Contract processing fee" means a fee paid for the processing of a contract.
(k) "Disabled" or "disability" means a limitation of an individual's learning ability that results from an injury or disease which renders the individual incapable of participating in higher education.
(l) "Escrow account" means an account called an escrow account in any contract.
(m) "Higher education institution" means a public educational institution, an independent, degree-granting college or university, or an out-of-state institution of higher education.
(n) "Immediate family" has ~~one~~ 1 of the following meanings:
(i) For contracts issued in the years 1988 ~~through~~ TO 1996, the term means any of the following:

(A) The purchaser or any of the following relations of the purchaser:
(1) A spouse.
(2) A child.
(3) A stepchild.
(4) An adopted child.
(5) A grandchild.
(6) A niece or nephew.
(7) A ward.
(B) Any of the following relations of the beneficiary:
(1) A brother or sister.
(2) A stepbrother or stepsister.
(3) A cousin of the first degree.
(4) A mother or father.
(C) Another person designated by the board to be a member of the immediate family.
(ii) For contracts issued after the year 1996, the term means any of the following relations of the beneficiary:
(A) A spouse.
(B) A mother or father.
(C) A brother or sister.
(D) A legally adopted brother or sister.
(E) A child.
(F) A legally adopted child.
(G) A spouse's child.
(H) A niece or nephew.
(I) A cousin of the first degree.
(o) "Independent, degree-granting college or university" ~~has~~ MEANS either of the following ~~meanings~~:
(i) For contracts issued in the years 1988 ~~through~~ TO 1996, the term means a nonpublic, associate or baccalaureate degree-granting institution of higher education approved by the state board of education and located in this state.
(ii) For contracts issued after the year 1996, the term means a nonprofit, nonpublic, associate or baccalaureate degree-granting institution of higher education approved by the state board of education and located in this state.
(p) "In-district tuition rate" means the tuition rate charged a student who meets the in-district residency requirements established by a particular community or junior college.
(q) "In-state tuition rate" means the tuition rate charged a student who meets the in-state residency requirements of a particular state institution of higher education.
(r) "Item" means any of the categories listed and numbered on the signature page of a contract.
(s) "Lowest tuition cost" means the lowest annual tuition rate charged freshmen, sophomores, juniors, or seniors among all annual tuition rates at any state institution of higher education.
(t) "Mandatory fee" means any fee, other than charges for credit hours, room, and board, which an educational institution requires all students to pay.
(u) "New beneficiary" means an individual who is an immediate family member to whom contract rights have been transferred.
(v) "Out-of-state institution of higher education" ~~has either of the following meanings:~~
~~(i) For contracts issued in the years 1988 through 1996, the term means a baccalaureate degree-granting college or university located outside this state.~~
~~(ii) For contracts issued after the year 1996, the term~~ MEANS 1 OF THE FOLLOWING: ~~means a~~
(I) A nonprofit, baccalaureate degree-granting college or university located outside this state.
(II) A PROPRIETARY BACCALAUREATE DEGREE-GRANTING COLLEGE OR UNIVERSITY LOCATED OUTSIDE THIS STATE THAT IS ELIGIBLE TO PARTICIPATE IN UNITED STATES DEPARTMENT OF EDUCATION STUDENT AID PROGRAMS.

(III) A COMMUNITY OR JUNIOR COLLEGE LOCATED OUTSIDE THIS STATE THAT IS ELIGIBLE TO PARTICIPATE IN UNITED STATES DEPARTMENT OF EDUCATION STUDENT AID PROGRAMS.

(w) "Person" means an individual who is a resident of the United States or a partnership, trust, association, corporation, or governmental subdivision organized or existing under the laws of the United States or any state of the United States.

(x) "Plan" means any group of contracts so identified by the trust as a plan.

(y) "Prepaid tuition amount" means the dollar amount paid for a contract, but does not include an application fee and any contract processing fee set forth in the contract.

(z) "Public educational institution" means a state institution of higher education or a community or junior college.

(aa) "Purchaser" means the person designated in a contract who makes, or is obligated to make, advance tuition payments pursuant to a contract. The purchaser, if a natural person, shall be 18 years of age or older or a trustee or a designated custodian under the provisions of 1959 PA 172, MCL 554.451 et seq., or be represented by a court-appointed or approved conservator or guardian.

(bb) "Resident" means an individual who is domiciled in, or whose state of legal residence is, this state.

(cc) "Secured loan" means a single-purpose installment payment loan made by a third-party lender to a purchaser for the purpose of making the total contract price.

(dd) "Termination" means a discontinuance of the right to receive educational benefits under the contract.

(ee) "Third-party lender" means a savings institution, bank, credit union, or other party which is under contract with the trust to offer secured loans for the purchase of contracts.

(ff) "Third-party servicer" means a savings institution, bank, credit union, or other party under contract with the trust to service the receipt of contracts and contract payments.

(gg) "Total contract price" means the amount paid for a contract, including any contract processing fee set forth in the contract, but not including an application fee.

(hh) "Transfer" means moving all or a portion of the contract rights from the beneficiary to a new beneficiary.

(ii) "Tuition account" means an account established by the trust in the advance tuition payment fund to hold all monies to provide educational benefits or refunds for plan contracts. This account shall not be subject to a claim for payment by a third-party lender.

(jj) "Tuition charges" means the undergraduate quarter, term, semester, or trimester charges imposed to attend a higher education institution, including mandatory fees.

(kk) "Undergraduate fiscal year equated students" means a figure determined for each state institution of higher education by dividing 1/4 of the number of credit hours necessary to receive a 4-year baccalaureate degree at that state institution of higher education into the number of credit hours for which in-state undergraduate students were enrolled.

(2) Terms defined in the act have the same meanings when used in these rules.

NOTICE OF PUBLIC HEARING

ORR # 2003-016

DEPARTMENT OF TREASURY

HIGHER EDUCATION ASSISTANCE AUTHORITY

MICHIGAN EDUCATION TRUST

The Michigan Department of Treasury will conduct a public hearing at the following time and place to allow comment by interested persons on the amendment of Rule 390.1801 of the General Rules of the Michigan Education Trust. The public hearing will be held in accordance with the Michigan Administrative Procedures Act, MCL 24.201-24.328.

The amendment is authorized by section 11 of the Michigan Education Trust Act, 1986 PA 316, MCL 390.1431. The amendment will change the definition of "out-of-state institution of higher education" to expand the ability of MET contract beneficiaries to use MET contract refunds at an out-of-state institution.

The public hearing in this matter is scheduled for:

DATE: July 29, 2003

TIME: 2:00 p.m.

LOCATION: Administrative Services Conference Room
3rd Floor, Treasury Building
430 West Allegan Street
Lansing, MI 48909

All interested persons are invited to testify at the public hearing and to present oral or written statements, opinions, questions or suggestions concerning the proposed rules. The public hearing will begin at the time noted above and will continue until all parties present have had a reasonable opportunity to make their presentation.

In addition, interested parties may submit written comments to Doug Miller, Office of Policy and Research Development, Department of Treasury, Treasury Building, 430 West Allegan Street, Lansing, MI 48909, no later than July 29, 2003.

If adopted, the proposed rules will take effect 7 days after filing with the Secretary of State.

ENROLLED SENATE AND HOUSE BILLS SIGNED INTO LAW OR VETOED (2003 SESSION)

Mich. Const. Art. IV, §33 provides: "Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated."

Mich. Const. Art. IV, §27, further provides: "No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house."

MCL 24.208 states in part:

"Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year."

ENROLLED SENATE AND HOUSE BILLS SIGNED INTO LAW OR VETOED (2003 SESSION)

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
1		160	Yes	3-Apr	3-Apr	4/3/2003	**Legislature**; auditor general; duties; clarify. **(Sen. B. Patterson)**
2	4198		Yes	21-Apr	22-Apr	4/22/2003	**Recreation**; outdoor activities; assumption of risk when operating a snowmobile; revise. **(Rep. C. LaSata)**
3	4079		Yes	21-Apr	22-Apr	4/22/2003	**Health facilities**; nursing homes; standardized information pamphlet and complaint form; require department of consumer and industry services to develop and distribute. **(Rep. G. Woronchak)**
4	4139		Yes	22-Apr	22-Apr	4/22/2003	**Natural resources**; fishing; types of documentation acceptable for member of armed forces to establish eligibility for discounted hunting or fishing license; expand. **(Rep. J. Rivet)**
5	4010		Yes	24-Apr	24-Apr	4/24/2003	**Economic development**; plant rehabilitation; tax abatements for plants that manufacture biodiesel fuel; provide for. **(Rep. G. DeRossett)**
6		105	Yes	9-May	9-May	5/9/2003	**Natural resources**; forests; procedure for earmarking royalties from timber and mineral revenues; clarify. **(Sen. A. Sanborn)**
7	4078		Yes	20-May	20-May	5/20/2003	**Courts**; district court; places where district court is required to sit; revise for districts of the first class. **(Rep. S. Hummel)**

* - I.E. means Legislature voted to give the Act immediate effect.
** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.
*** - See Act for applicable effective date.
+ - Line item veto
# - Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
8	4332		Yes	20-May	20-May	5/20/2003	**Retirement**; fire and police; death benefits for spouse of slain law enforcement officer; prohibit suspension of benefits for spouse who remarries. **(Rep. S. Shackleton)**
9	4086		Yes	20-May	20-May	9/1/2003	**Traffic control**; violations; penalties for driving with expired registration plate tabs; revise. **(Rep. M. Middaugh)**
10	4115		Yes	29-May	29-May	5/29/2003	**Highways**; name; renaming a certain portion of M-28; designate as "Veterans Memorial Highway." **(Rep. S. Adamini)**
11	4432		Yes	29-May	29-May	5/29/2003	**Insurance**; property and casualty; fire and other peril losses due to terrorist events; exempt in commercial insurance policies. **(Rep. L. Julian)**
12		180	Yes	29-May	29-May	5/29/2003	**State agencies** (existing); generally; state agencies using 900 telephone numbers for the general public to access public information; prohibit. **(Sen. T. Stamas)**
13		397	Yes	29-May	29-May	5/29/2003	**Elections**; primary; presidential primary in 2004; eliminate. **(Sen. J. Allen)**
14	4257		Yes	4-Jun	5-Jun	6/5/2003	**Natural resources**; Great Lakes; beach maintenance activities and removal of vegetation on Great Lakes riparian lands; allow under certain circumstances. **(Rep. B. Palmer)**
15		118	Yes	10-Jun	10-Jun	9/1/2003	**Crimes**; other; penalties for impersonating a police officer; increase. **(Sen. A. Sanborn)**

* - I.E. means Legislature voted to give the Act immediate effect.
** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.
*** - See Act for applicable effective date.
+ - Line item veto
# - Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
16		117	Yes	10-Jun	10-Jun	9/1/2003 #	**Criminal procedure**; sentencing guidelines; sentencing guidelines for impersonating a police officer to commit or attempt to commit a felony; enact. **(Sen. A. Cropsey)**
17	4285		Yes	10-Jun	10-Jun	6/10/2003	**Retirement;** public school employees; direct withholding from pension for long-term care benefits; allow. **(Rep. S. Ehardt)**
18	4038		Yes	10-Jun	10-Jun	6/10/2003	**Education**; teachers; certification in cardiopulmonary resuscitation; require for new teacher certification. **(Rep. S. Rocca)**
Veto		195				3/21/2003	**Local government**; public services; certain city managed water and sewer systems; provide for oversight authority. **(Sen. L. Toy)**

* - I.E. means Legislature voted to give the Act immediate effect.
** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.
*** - See Act for applicable effective date.
+ - Line item veto
# - Tie bar

MICHIGAN ADMINISTRATIVE CODE TABLE
(2003 SESSION)

MCL 24.208 states in part:

"Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(i) Other official information considered necessary or appropriate by the office of regulatory reform."

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

MICHIGAN ADMINISTRATIVE CODE TABLE
(2003 RULE FILINGS)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
29.2801	*	1	285.551.26	R	5	285.564.2	*	9
29.2802	*	1	285.551.27	R	5	285.564.3	*	9
29.2802a	A	1	285.551.28	R	5	285.564.4	*	9
29.2803	*	1	285.551.29	R	5	285.564.5	*	9
29.2804	*	1	285.551.30	R	5	285.564.6	*	9
29.2805	*	1	285.551.41	R	5	285.564.7	*	9
29.2806	*	1	285.551.42	R	5	285.564.8	*	9
29.2807	*	1	285.551.43.	R	5	285.564.9	R	9
29.2807a	A	1	285.551.44	R	5	285.564.10	*	9
29.2808	*	1	285.551.51	R	5	285.564.11	*	9
29.2809	*	1	285.551.52	R	5	285.564.13	*	9
29.2810	*	1	285.551.53	R	5	299.2903	*	5
29.2811	*	1	285.551.54	R	5	299.2905	*	5
29.2811a	A	1	285.551.56	R	5	299.2911	*	5
29.2812	*	1	285.551.58	R	5	299.2912	*	5
29.2813	*	1	285.551.61	R	5	299.2916	*	5
29.2814	*	1	285.551.62	R	5	299.2917	*	5
259.241	*	4	285.551.63	R	5	299.2918	*	5
259.243	*	4	285.551.64	R	5	299.2920	*	5
259.244	*	4	285.551.65	R	5	299.2922	*	5
285.551.1	R	5	285.551.66	R	5	299.2923	*	5
285.551.4	R	5	285.551.67	R	5	299.2924	*	5
285.551.6	R	5	285.551.68	R	5	299.2925	A	5
285.551.9	R	5	285.551.69	R	5	299.2925a	*	5
285.551.11	R	5	285.551.70	R	5	299.2926	*	5
285.551.13	R	5	285.551.71	R	5	299.2927	*	5
285.551.15	R	5	285.551.72	R	5	323.1171	*	1
285.551.16	R	5	285.551.73	R	5	323.1172	*	1
285.551.17	R	5	285.551.74	R	5	323.1173	*	1
285.551.18	R	5	285.551.75	R	5	323.1175	*	1
285.551.19	R	5	285.551.76	R	5	323.1180	*	1
285.551.20	R	5	285.551.77	R	5	323.1181	*	1
285.551.21	R	5	285.551.78	R	5	323.1174	R	1
285.551.22	R	5	285.551.79	R	5	323.2101	*	10
285.551.23	R	5	285.551.81	R	5	323.2102	*	10
285.551.24	R	5	285.551.83	R	5	323.2103	*	10
285.551.25	R	5	285.564.1	*	9	323.2104	*	10

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
323.2106	*	10	323.2159	*	10	324.55	N	2
323.2108	*	10	323.2160	*	10	324.56	N	2
323.2109	*	10	323.2161	*	10	324.57	N	2
323.2111	R	10	323.2161a	A	10	324.58	N	2
323.2112	*	10	323.2189	*	10	324.59	N	2
323.2114	*	10	323.2190	*	10	324.59a	N	2
323.2115	*	10	323.2191	*	10	324.59b	N	2
323.2117	*	10	323.2192	*	10	324.59c	N	2
323.2118	*	10	323.2193	*	10	324.59d	N	2
323.2119	*	10	323.2195	*	10	324.59e	N	2
323.2121	*	10	323.3101	*	5	324.61	N	2
323.2122	*	10	323.3102	*	5	324.62	N	2
323.2124	*	10	323.3103	*	5	324.63	N	2
323.2125	*	10	323.3104	*	5	324.64	N	2
323.2126	R	10	323.3105	*	5	324.65	N	2
323.2127	*	10	323.3106	*	5	324.71	N	2
323.2128	*	10	323.3107	*	5	324.72	N	2
323.2130	*	10	323.3108	*	5	324.73	N	2
323.2131	*	10	323.3109	*	5	324.74	N	2
323.2133	*	10	323.3110	*	5	324.75	N	2
323.2134	*	10	324.1	N	2	324.81	N	2
323.2136	*	10	324.2	N	2	325.10102	*	2
323.2137	*	10	324.3	N	2	325.10103	*	2
323.2138	*	10	324.21	N	2	325.10104	*	2
323.2139	*	10	324.22	N	2	325.10105	*	2
323.2140	*	10	324.23	N	2	325.10106	*	2
323.2141	*	10	324.24	N	2	325.10108	*	2
323.2142	*	10	324.31	N	2	325.10109	*	2
323.2145	*	10	324.32	N	2	325.10308 b	*	2
323.2146	*	10	324.33	N	2	325.10401	*	2
323.2147	*	10	324.41	N	2	325.10401a	A	2
323.2149	*	10	324.42	N	2	325.10402	*	2
323.2150	*	10	324.43	N	2	325.10403	*	2
323.2151	*	10	324.51	N	2	325.10404	*	2
323.2153	*	10	324.52	N	2	325.10405	*	2
323.2154	*	10	324.53	N	2	325.10406	*	2
323.2155	*	10	324.54	N	2	325.10407	*	2

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
325.10408	*	2	325.11008	*	2	325.13405	R	7
325.10408a	A	2	325.11009	R	2	325.13406	R	7
325.10408 b	A	2	325.11502	*	2	325.13407	R	7
325.10409	*	2	325.11503	R	2	325.13408	R	7
325.10411	*	2	325.11505 a	*	2	325.13409	R	7
325.10412	*	2	325.11506	*	2	325.13410	R	7
325.10413	*	2	325.13101	*	7	325.13411	R	7
325.10414	*	2	325.13102	*	7	325.13412	R	7
325.10415	*	2	325.13104	*	7	325.13413	R	7
325.10416	*	2	325.13105	*	7	325.13414	R	7
325.10417	*	2	325.13106	*	7	325.13415	R	7
325.10418	*	2	325.13107	*	7	325.13416	R	7
325.10419	*	2	325.13108	*	7	325.13417	R	7
325.10420	*	2	325.13109	*	7	325.13418	R	7
325.10604a	*	2	325.13110	*	7	325.13501	A	7
325.10605	*	2	325.13111	*	7	325.13503	A	7
325.10610	A	2	325.13201	*	7	325.13505	A	7
325.10610a	A	2	325.13202	*	7	325.13507	A	7
325.10610 b	A	2	325.13205	*	7	325.13509	A	7
325.10610c	A	2	325.13206	*	7	325.13511	A	7
325.10611	A	2	325.13207	*	7	325.13513	A	7
325.10611a	A	2	325.13208	*	7	325.13515	A	7
325.10611 b	A	2	325.13209	R	7	325.13517	A	7
325.10702	*	2	325.13211	*	7	325.13519	A	7
325.10704	*	2	325.13212	*	7	325.13521	A	7
325.10706	*	2	325.13213	*	7	325.13523	A	7
325.10707 b	*	2	325.13301	*	7	325.13525	A	7
325.10719	R	2	325.13302	*	7	325.13527	A	7
325.10719a	*	2	325.13303	*	7	325.13529	A	7
325.10719 d	*	2	325.13304	*	7	325.13531	A	7
325.10719e	A	2	325.13305	*	7	325.13533	A	7
325.10719f	A	2	325.13306	*	7	325.13535	A	7
325.10720	*	2	325.13307	*	7	325.13537	A	7
325.10720a	A	2	325.13401	R	7	325.13539	A	7
325.10721	R	2	325.13402	R	7	325.13541	A	7
325.11002 d	*	2	325.13403	R	7	325.13543	A	7
325.11004	R	2	325.13404	R	7	325.52501	A	6

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
325.52502	A	6	338.254	*	1	408.41456	*	4
325.52503	A	6	338.255	*	1	408.41461	*	4
325.52504	A	6	339.23101	*	5	408.41462	*	4
325.52505	A	6	408.43i	*	9	408.41463	*	4
325.52506	A	6	408.43s	A	9	408.41464	*	4
336.1101	*	12	408.801	*	1	408.41465	*	4
336.1103	*	12	408.802	*	1	408.41466	*	4
336.1106	*	12	408.803	*	1	408.41467	*	4
336.1114	*	12	408.806	*	1	408.41471	*	4
336.1116	*	12	408.813	*	1	408.41472	*	4
336.1118	*	12	408.814	*	1	408.41474	*	4
336.1119	*	12	408.821	*	1	408.41475	*	4
336.1122	*	5	408.833	*	1	408.41476	*	4
336.1201	*	12	408.834	*	1	408.41477	*	4
336.1201a	*	12	408.837	*	1	408.41478	*	4
336.1202	*	12	408.838	*	1	408.41479	*	4
336.1203	*	12	408.839a	*	1	408.41481	*	4
336.1204	*	12	408.841	*	1	408.41483	*	4
336.1205	*	12	408.843	*	1	418.10104	*	4
336.1206	*	12	408.844	*	1	418.10105	*	4
336.1207	*	12	408.852	*	1	418.10106	*	4
336.1212	*	12	408.876	*	1	418.10107	*	4
336.1214a	A	12	408.876	R	1	418.10108	*	4
336.1216	*	12	408.877	*	1	418.10116	*	4
336.1219	*	12	408.881	*	1	418.10117	*	4
336.1220	*	12	408.882	*	1	418.10121	*	4
336.1240	*	12	408.885	*	1	418.10202	*	4
336.1241	*	12	408.886	*	1	418.10902	A	4
336.1278	*	12	408.887	*	1	418.10904	*	4
336.1278a	A	12	408.891	*	1	418.10915	*	4
336.1279	R	12	408.898	A	1	418.10916	*	4
336.1281	*	12	408.31070	*	5	418.10922	*	4
336.1282	*	12	408.31087	A	5	418.10923	*	4
336.1284	*	12	408.31088	A	5	418.10924	R	4
336.1285	*	12	408.31089	A	5	418.10925	*	4
336.1287	*	12	408.31090	A	5	418.101002	*	4
336.1289	*	12	408.41401	*	4	418.101204	*	4
336.1299	*	12	408.41405	A	4	418.101206	*	4
338.251	*	1	408.41410	A	4	418.101501	*	4
338.252	*	1	408.41454	R	4	418.101502	A	4
338.253	*	1	408.41455	*	4	418.101503	A	4

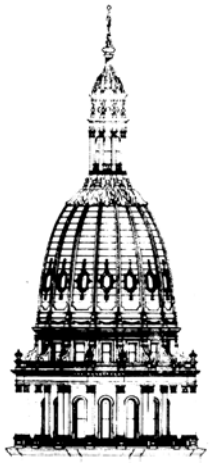
(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
418.1015	A	4	432.21517	*	6	432.21810	*	6
432.21101	*	6	432.21518	*	6	432.21811	*	6
432.21109	*	6	432.21519	*	6	432.21812	*	6
432.21201	*	6	432.21521	*	6	432.21813	*	6
432.21202	*	6	432.21522	*	6	432.21901	*	6
432.21204	*	6	432.21601	*	6	432.21904	*	6
432.21208	*	6	432.21603	*	6	432.21905	*	6
432.21301	*	6	432.21604	*	6	432.21906	*	6
432.21310	*	6	432.21605	*	6	432.21907	*	6
432.21312	*	6	432.21606	*	6	432.21908	*	6
432.21313	*	6	432.21607	*	6	432.21909	*	6
432.21314	*	6	432.21608	*	6	432.21910	*	6
432.21317	*	6	432.21610	*	6	432.21911	*	6
432.21318	*	6	432.21611	*	6	432.22001	*	6
432.21319	*	6	432.21612	*	6	432.22003	*	6
432.21321	*	6	432.21614	*	6	432.22005	*	6
432.21322	*	6	432.21616	*	6	432.22007	*	6
432.21324	*	6	432.21617	*	6	432.22008	*	6
432.21326	*	6	432.21618	*	6	436.1001	*	10
432.21327	*	6	432.21619	*	6	436.1011	*	10
432.21328	*	6	432.21620	*	6	436.1037	R	10
432.21329	*	6	432.21621	*	6	436.1041	*	10
432.21330	*	6	432.21622	*	6	436.1049	*	10
432.21331	*	6	432.21623	*	6	436.1051	*	10
432.21333	*	6	432.21624	*	6	436.1057	R	10
432.21334	*	6	432.21710	*	6	436.1060	A	10
432.21335	*	6	432.21713	*	6	436.1505	R	10
432.21336	*	6	432.21714	*	6	436.1951	*	10
432.21406	*	6	432.21715	*	6	436.1953	*	10
432.21407	*	6	432.21716	*	6	436.1955	*	10
432.21411	*	6	432.21717	*	6	436.1959	*	10
432.21413	*	6	432.21720	*	6	436.1963	*	10
432.21414	*	6	432.21721	*	6	436.2001	*	10
432.21415	*	6	432.21801	*	6	436.2011	*	10
432.21419	*	6	432.21803	*	6	436.2015	*	10
432.21420	*	6	432.21804	*	6	436.2017	*	10
432.21501	*	6	432.21805	*	6	484.401	A	7
432.21507	*	6	432.21806	*	6	484.402	A	7
432.21510	*	6	432.21807	*	6	484.421	A	7
432.21515	*	6	432.21808	*	6	484.422	A	7
432.21516	*	6	432.21809	*	6	484.423	A	7

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2003 MR Issue
484.424	A	7
484.425	A	7
484.431	A	7
484.434	A	7
484.435	A	7
484.438	A	7
484.439	A	7
484.440	A	7
484.440a	A	7
484.440b	A	7
484.440c	A	7
484.441	A	7
484.442	A	7
484.443	A	7
484.444	A	7
484.445	A	7
484.446	A	7
484.451	A	7
484.452	A	7
484.453	A	7
484.454	A	7
484.455	A	7
484.456	A	7
484.457	A	7
484.458	A	7
484.459	A	7
484.460	A	7
484.461	A	7
484.471	A	7

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)



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